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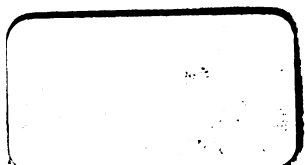


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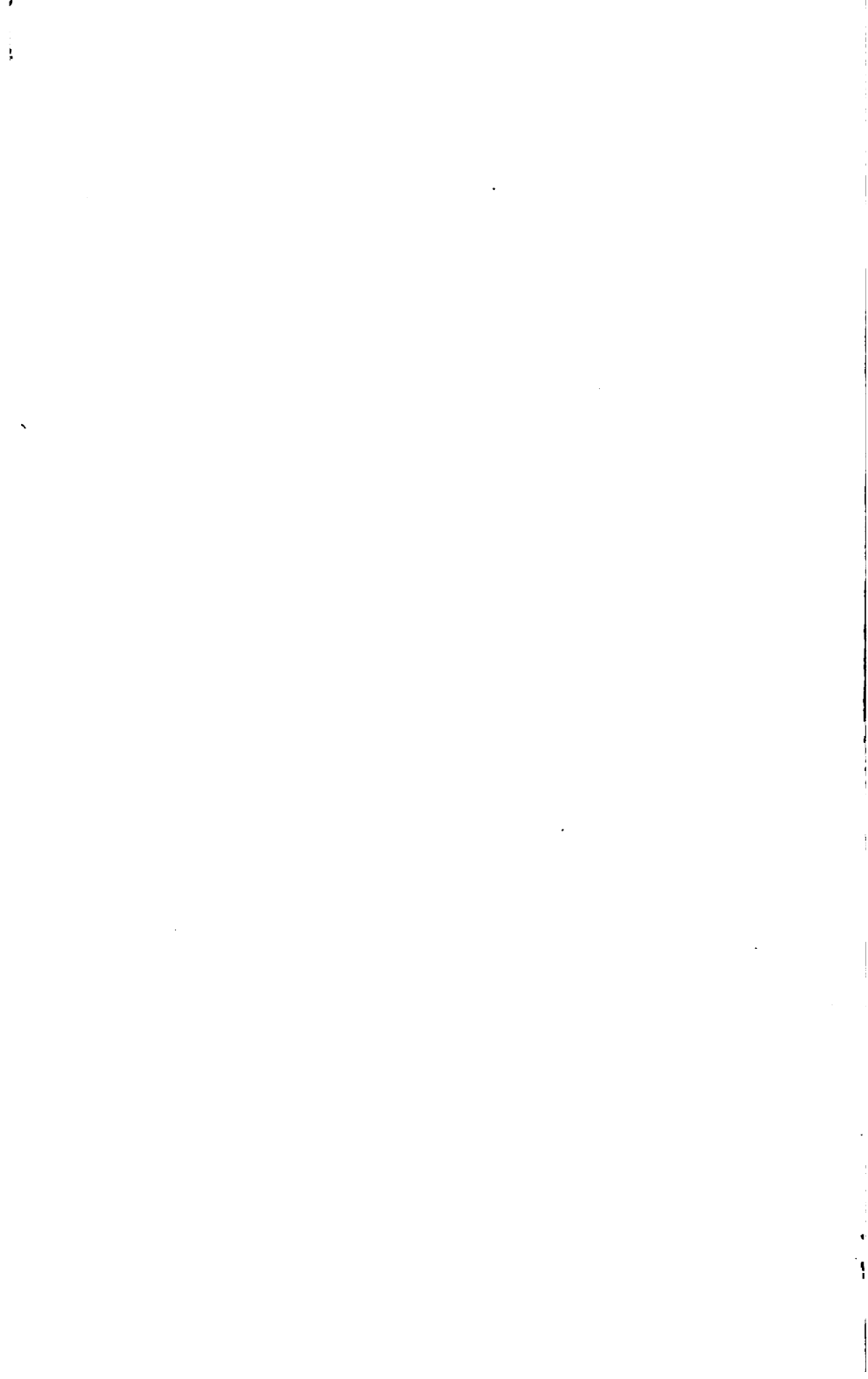


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THE  
**African Observer.**

A  
MONTHLY JOURNAL,  
CONTAINING  
ESSAYS AND DOCUMENTS

ILLUSTRATIVE OF  
THE GENERAL CHARACTER, AND MORAL AND POLITICAL EFFECTS,

OF  
**NEGRO SLAVERY.**

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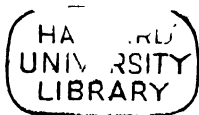
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THE

# African Observer.

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FOURTH MONTH, 1827.

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## PROSPECTUS.

It is our privilege to live in an age of surpassing improvement. The sciences and the arts are deeply indebted to the genius and enterprise of our contemporaries; and schemes, of extensive utility, are now in successful operation, which, half a century ago, would have been considered as fit only to supply a void in the brain of a maniac, or to exercise the idle ingenuity of a visionary projector. By new and efficacious experiments, principles in natural science, unknown to our fathers, have been developed, and new avenues opened to the enjoyment of man.

Of those improvements in physical and political science, which have stamped their character on the last and the passing age, the inhabitants of the western world claim a distinguished share—There ingenuity has displayed its inventions to the gaze and imitation of the world, and there the principles of government have been traced to their source, and the laws of immutable justice solemnly proclaimed as the proper basis and support of political institutions.

If we review the periods of our national growth, and mark our unparalleled progress in the march of nations,

we must subscribe to the sentiment, that no people have greater cause reverently to commemorate the goodness of a beneficent Creator than the people of these United States. No where have the choicest blessings of the all-bountiful Parent been spread with a more unsparing hand. To no other people, ancient or modern, has the cup of felicity been presented, with fewer bitter ingredients, or more completely purified from the lees of political thralldom.

If, judging of the future from the past, we endeavour to delineate our course through ages yet to come, a series of pleasing anticipations warms the reflecting mind. With a fertile soil, extending through every desirable variety of climate, and capable of affording all that luxury could demand to supply the wants, or promote the comfort of man; with a population enlightened and free; with a government over which the laws are supreme, and the people the arbiters of the law; the way appears open to that national greatness which ambition could not wish to enhance, and to individual prosperity, in which discontent might blush to complain.

Are these the delusive prospects of

a feverish patriotism, the visions of poetry; or are they the anticipations of sober reflection? Is there no ill boding omen to dim the light that glitters on our future course? Alas! one portentous cloud is impending over some of the fairest portions of our favoured land. One dire disease, deeply infixed in our national system, has "grown with our growth, and strengthened with our strength." The light of freedom, which we so highly prize, shines on a part of our population only by reflection, and to them is rather "darkness visible" than light.

This appalling subject is forced upon us, however reluctant we may feel to investigate its character, or contemplate its rugged and forbidding aspect. A population of more than a million and a half, familiar with all the privacies of our domestic life; accustomed to hear liberty extolled as the highest and noblest of enjoyments; and yet, finding the bitter draught of hereditary servitude its own hopeless portion; incapable, from its degraded condition, of appreciating the blessings of the government under which we live, and having little to dread from any change or convulsions of the political world—presents to our view a prospect too awful to be contemplated with stoic indifference. The cloud is thickening with the progress of time; and prudence admonishes, that, if it cannot be dissipated, it should, if possible, be disarmed of its lightning.

Whether slavery is, or is not, a political evil; or whether a free or a slave population is most conducive to national prosperity, can scarcely, in this age, and in this country, require a serious discussion.

If slavery has, in all ages, and among all nations, been considered as among

the greatest of evils; if liberty is always the highest wish and ultimate aim of the slave; how repulsive must that condition appear to an observant eye, when contrasted with the civil and religious freedom, by which, in the United States, it is every where surrounded.

But, however we may commiserate the condition of those who are doomed to hereditary servitude, the zeal which this feeling excites may sometimes warm without enlightening the philanthropic mind. The slave, sunk and degraded below the proper level of humanity, may find, in the lethargic insensibility resulting from his situation, a retreat from mental suffering; yet, though bent to the yoke, he still possesses the stamina of the human character—the aspiring tendency of his nature, though suppressed and concealed, is not destroyed—his dormant passions are not extinct. The tranquillity which prevails, may be suddenly disturbed—for the slumbering volcano retains its fires, and those who occupy its smoking verge may themselves become the victims of the devouring element.

The slave is not the only object that demands our consideration. The introduction of negro slavery into the United States was not the work of the present generation. The system was entailed upon them by their ancestors: and justice demands the admission, that evils, both moral and political, are more easily discovered than removed; and that those who are subjected, by the circumstances of their birth, to the hard alternative, either to new model the habits which have grown with their years, or to maintain a system which their sober judgments cannot approve, are objects

of sympathy with the truly christian mind.

The jealousies and antipathies which the distinction between slave-holding and non slave-holding states has engendered and fed, may be safely classed among the disastrous concomitants of the system; especially as they oppose a stubborn obstacle to any general effort for the removal of the other acknowledged evils of slavery. Unhappily for the cause of humanity, the advocate of the slave has been too often identified with the antagonist of his owner. The interests of these opposite classes have been considered as incompatible, and friendship for the one as synonymous with enmity for the other.

To soften or remove those antipathies, and promote, between the inhabitants of the different sections of our country, a community of feeling on this momentous subject, is an object of vital importance, worthy of the efforts of those who seek alike the good of all. This cause, though critical and arduous, is not desperate. Happily the purblind philosophy, which taught mankind to believe that one part of the community could rise only by the depression of another, has passed away with the ages that are gone, and a more enlightened era has dawned. Man is a social being, and finds his own particular advantage in the promotion of the general good. Party strifes and sectional jealousies result from erroneous and limited views of private interest; and often from imperfect acquaintance with the motives by which others are actuated: The people of the United States are bound together by one great federal interest; and however the inhabitants of the north may disapprove and ab-

hor the system of servitude which prevails in the south, and however they may compassionate its victims, there must, from their common interests, as well as common origin, always exist, in the prejudices and sympathies of the former, a strong preponderance in favour of the superior class.

There is probably no subject more deeply interesting to every section of the Union than negro slavery, and none which has stronger claims on the clearest heads and purest hearts among us. To open a way, equally safe and salutary, for the master and the slave to escape from the evils in which they are involved, and thus to clear ourselves from the reproach of having disavowed, by our practice, the noble principles on which we assumed a rank among the nations of the earth, is the great political problem, which this or some succeeding generation must solve.

Animated by a desire to contribute towards the attainment of this momentous object, and supported by the encouragement of his friends, the subscriber has concluded to offer to public acceptance, a monthly periodical journal, with the title prefixed to this article, designed to include an extensive range of inquiries connected with this subject. To combat the prejudices which this system has produced, and which have varied their shades according to the points from which the condition has been viewed—to trace the moral influence of slavery on those who breathe its atmosphere—and to point out the best means for its peaceful extinction, will be among the prominent objects of discussion.

The work will comprise the following general divisions.

1. Sketches of the history, ancient and modern, of Africa—of the progress of geographical discovery therein—of its productions, commerce, and future prospects; and of the manners, government, and arts of the negro race.

2. The history, character, and incidents of slavery among the ancients, with its decline and extinction among the moderns.

3. The African slave trade. Its history, character, and extent—Efforts that have been used for its abolition—Its present state; with its effect on the inhabitants of Africa.

4. The nature and character of negro slavery in the islands and on the continent of America—The internal slave trade within the United States—Laws and usages in relation to slavery, including those enacted for its extinction or melioration.

5. Principles of political economy, in relation to slave labour and consumption compared with free.

6. Biographical notices of negroes who have been distinguished for their virtue or abilities.

7. Plans for improving the condition of the slaves in the United States, with an account of experiments, on this subject, made by the holders of slaves.

8. View of the situation, character, and future prospects of the free coloured population of the United States.

In the collections which shall be made on these various topics, the works of the ablest writers among the ancients and moderns will be consulted; the narratives of travellers carefully examined; and such extracts made from the periodical works of the day, as shall appear properly calculat-

ed to illustrate the subjects embraced by the plan. Measures are taken to establish an extensive correspondence with persons of intelligence and veracity, in this country and in Europe, from whose communications considerable assistance is anticipated.

The editor being anxious so to conduct his investigations, that such as differ from him in opinion may not be repelled by any appearance of severity or rudeness, from a calm and patient attention to the facts or arguments adduced, every thing of a vindictive character will be carefully excluded from his columns.

It may be added that a rigid adherence to the order above exhibited in the arrangement of his subjects, is not intended, and that several of those topics will be brought into view in each of the successive numbers. In the 12th number an index to the volume will be given.

#### CONDITIONS.

The work will be published in Philadelphia, on the first of each month, beginning with the Fourth month next, each number containing 32 pages printed in double columns.

The price two dollars per annum, payable *in advance*.

Such of the patrons of the work as may choose to withdraw their subscriptions at the expiration of the year, will be expected to give notice to the editor or his agent, two months previously; those who omit forwarding this notice will be considered as continuing their subscriptions, and their bills presented accordingly.

ENOCH LEWIS.

12th mo. 23d, 1826.

## NEGRO SLAVERY.

In calling the attention of his fellow citizens to the momentous and delicate subject of negro slavery, the writer of the subsequent essays, though avowedly opposed to the system, has no disposition to treat with severity any, whose opinions may differ from his own, or whose practice may be at variance with the principles which he has been induced to espouse. His object is truth, and motive the cause of humanity.

When truth, and not victory, is the object of discussion, diversity of opinion, or variety of practice, furnishes no rational ground of jealousy or aversion. With minds not blinded by passion, the truth is often elicited by the collision of opposite sentiments.

There is probably no subject, either theoretic or practical, which more imperiously demands the serious attention of the people of these United States, than that of negro slavery,—none that presents a stronger claim to the exercise of the clearest understandings and finest feelings among us, to avert the dangers, or to mitigate the evils which this system leads in its train.

The people of colour, held in servitude within the United States, have become an important part of our population. Their numbers and physical force are rapidly increasing.

If any sections of our country, are, more deeply than others, interested in this subject, those where negro slavery is tolerated are they. To them the dangers, appalling as they are admitted to be, of an extensive slave population, directly and chiefly apply.

Circumstanced as we are, it is time to repudiate the bickerings of party, and cultivate sentiments of concilia-

tion. In governments, as well as in families, strength depends upon union, and union on mutual confidence and reciprocal condescensions.

This subject presents several questions of vital importance which merit a serious and patient investigation.

First.—What is Negro Slavery?

Negro Slavery as existing in the United States and British West Indies, appears to be a creature *sui generis* unknown to the ancients, and though drawn from the least cultivated quarter of the globe, unknown even there, except in a passing state.

The most prominent feature in this system, by which it is distinguished from all its precursors, has been stamped by the hand of nature. The subjects of it bear in their persons the insignia of their servile condition. This circumstance, though apparently trivial, and certainly no very conclusive evidence of the moral rectitude of slavery, may, perhaps, be found, upon examination, the principal cause of most of the other peculiarities by which this system is marked.

The moral degradation which slavery entails on its victims, has been proverbial since the days of Homer. Now the negroes are known in this country only as slaves or the descendants of slaves. They are seen only in that low and degraded situation, in which hereditary slavery, immediate or remote, has placed them. Their characters are viewed only as moulded by their servile state. But when slavery is the general portion of persons of one complexion, and peculiar to them, the contempt and aversion incident to this degrading condition, becomes associated with the complexion, and hence a mere concomitant of slavery, comes to be considered as a cause and



more a confirmation of it. The great number of slaves who were taken from the defeated nations, and then taken to the interior, were the little number, because they were taken from the Greeks, the Jews, and the Romans, with the intention of selling them to the conquerors.

The intimate connection between slavery and moral degradation, is strikingly illustrated by the fact, that the English nation, who were of the middle ages, and furnished a sort of superstitious religion, which is still in use, through the character in which it was originally applied, and long since disapproved.

Among the nations of antiquity, the slaves were generally prisoners of war. These were being mostly waged between neighbouring nations, the slave was seldom distinguished from his master by any obvious national characteristics. In these contests the chances were often nearly equal, and death or wounds the lot of the vanquished, whereas was victorious. In those piratical expeditions, which furnished a part of the slaves of antiquity, the captured, if vanquished, was himself reduced to the condition of a slave. Hence, slavery must have appeared as the result of the fortune of war, and not as the peculiar lot of the inhabitants of any particular part of the globe. The system of slavery would, therefore, be mostly confined to those in actual servitude, and not extended by any association to those that were free. In regard to intellectual attainments, the superiority was frequently on the side of the slave. There is no reason to suppose that the Israelites, at the time of the Babylonian captivity, were less enlightened than their Chaldean invaders. The Romans were

instructed in science and the fine arts, by their African slaves. In the progressive subversion of the Roman empire by the northern invaders, the superiority in arts and science must have been generally, if not always, on the side of the vanquished. The victors in general must have been so far inferior in civilization to the vanquished, that the slaves whom they found in the conquered countries, as well as the freedmen whom they reduced to servitude, must have been far superior in knowledge and refinement, to their masters. Even the countries of Africa must have been barbarous, when compared with the bondmen of Rome. These circumstances, if they did not diminish the victims of their cruelty, would, at least, soften or prevent that inflexible contempt which a servile condition, associated with intellectual inferiority, never fails to engender in the mind of a haughty superior. Hence sympathy for the sufferings of the slave would be more easily awakened in the mind of the master. We accordingly find among the ancients, various modifications of the servile state, which tended to soften considerably, the rigours of that hopeless condition. In the Mosiac institutions, we find numerous provisions, obviously designed to smooth the rugged features of a system, which the people of that day were not sufficiently enlightened to abolish.

Among the most prominent of these was the following:

"Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: he shall dwell with thee, even among you in that place which he shall choose, in one of thy gates where it liketh him

best: Thou shalt not oppress him." Deut. xxii. 15, 16.\*

The laws of Minos, the legislator of Crete, expressly prohibited cruelty and injustice to slaves, and inculcated humanity and kindness on their masters. Once in the year, viz. at the feast of Mercury, the masters were required to exchange situations with their slaves, and perform the same services for them which they were accustomed, during the rest of the year, to receive.†

The Egyptian slave, though one of the greatest drudges in existence, if he had time to reach the temple of Hercules, found there a certain asylum from the persecution of his master; and he received additional comfort from the reflection that his life, whether he could reach it or not, could not be taken with impunity.‡

Though the persons of slaves were greatly secured in Egypt, yet there was no place so favourable to them as Athens. They were allowed greater liberty of speech, they had their convivial meetings, their hours of relaxation and mirth. They were generally treated with so much humanity as to occasion the observation of De-

\* The principle of this precept has been recently adopted in one of the new Spanish governments of South America. "The abolition of slavery was one of the first acts of the constituent assembly of Guatemala. It declared not only that, every man in the Republic is free, but that no one who takes refuge under its laws can be a slave; and it positively debarred any one who carries on the slave trade from the privileges of a citizen. This law was no sooner promulgated, than one hundred slaves from the Honduras escaped into Guatemala; and these, though demanded back by our superintendent, were justly allowed the full protection of the statute which proclaimed them free."—Quarterly Review, No. 68.

† Morell.

‡ Herodotus, Clarkson.

mosthenes, "that the condition of a slave at Athens, was preferable to that of a free citizen in many other countries." But if any exception happened, as was sometimes the case, from the general treatment described; if persecution took the place of lenity, and made the fangs of servitude more pointed than before, they, like the Egyptian slaves, had the temple of Theseus for refuge, where the legislature was so attentive as to examine their complaints, and, if they were founded in justice, to order them to be sold to another master. But a still more important privilege was guaranteed to them. They were allowed an opportunity of working for themselves, and if, by their industry, they were able to accumulate a sum equivalent to their ransom, they could, upon paying it down, demand their freedom for ever.

Of all the slaves of antiquity, the Helots, or Spartan slaves, were probably subjected to treatment the most revolting to humanity. Amongst a people bred to war, and systematically inured to pain, it is not surprising that little compassion was shown to the humble drudges by whose labour they were fed. The rigour of Spartan discipline, or Spartan manners, was not likely to be relaxed in favour of the servile class. Yet even this iron servitude was tempered by some ingredients, which policy, if not humanity, supplied.

The Helots were considered as the property of the state, rather than of its individual members. They were farmers of the soil, at fixed rents, which the proprietors could not raise without dishonour. Hence they had the means of acquiring wealth. They were not liable to be sold beyond the

bounds of Laconia, a district of inconsiderable extent, and therefore must have been free from those cruel dissolutions of family connexions, which constitute so prominent a feature of negro slavery. And indeed to the jealousy, excited by their *numbers*, which an open market might have thinned, and to their *riches*, which an absolute authority, if held by their masters, might have dissipated, a part of the cruelty with which they were treated, is attributed by historians.

Among the ancient German, according to Tacitus, each slave had his separate habitation, and his own establishment to manage. The master considered him as an agrarian dependent, who was obliged to furnish a certain quantity of grain, of cattle, or of wearing apparel. The slave obeyed, and the state of servitude extended no further. To punish a slave with stripes, to load him with chains, or to condemn him to hard labour, was unusual.

In an ancient code of Gentoo laws, we find the following article: "If a *wife*, or a *son*, or a *slave*, or a *female slave*, or a *pupil*, or a *younger brother*, hath committed a fault, they may be scourged with a lash, or a bamboo twig, on any part of the body where no dangerous hurt is likely to happen, but if a person scourges them beyond such limitation, he shall suffer the punishment of a thief."

Among the ancient Romans, before the institution of slavery had been reformed by the humanity of Adrian or the Antonines, the master possessed, over his slave, the dangerous power of life and death. This, however, appears to have been a relict of patriarchal authority; for, like the Gentoo law, an equal extent was given to ma-

gisterial and parental power. The Gentoo master might correct his slave in the same degree with his son and no further. The Roman father might put his son to death as well as his slave, was entitled to the property he acquired, and might exercise over him the same inferior authorities of scourging, imprisoning, and even selling into slavery. Nay, the Roman law carried the power of the parent higher than that of the master. If the slave, when sold, was enfranchised by the purchaser, he was forever free, but the son, though manumitted by a first and second purchaser, might be sold a third time by the father. The magisterial and paternal authority appear to have been simultaneously abridged. In the time of Trajan and his successor Adrian, both the son and the slave began to be effectually protected from that cruel abuse of domestic power, which was the natural growth of corrupt and dissolute manners.

The Roman law afterwards progressively advanced in humanity. By a rescript of one of the Antonines a slave, when cruelly treated, might flee to the temples, or statues of the emperors, for protection; on which the civil magistrates took cognizance of the complaint, and if the severity of the master was proved, the slave was delivered from his power, by a judicial sale.

Though, theoretically, the property acquired by the Roman slave was legally invested in the master, yet in practice, he was permitted to acquire property, and was therein not only *indulged* by the master, but *protected* against all other persons. It was called his *peculium*; and the many anxious provisions, in the imperial code, on this subject, plainly intimate the

extent and importance of these acquisitions. The Roman slave was also allowed, by law, to engage in commercial and other contracts, by which, to an extent equal to the value of his peculium, the master was bound.\* In this respect, the slave and domesticated son, were similarly circumstanced; and their civil incapacities did not prevent them from exercising, for their own advantage, with the permission of the master or father, or in his right, as factors or agents, all those powers of acquiring and enjoying property, which belonged to persons of free condition. When the son or the slave conducted any general business, on account of the father or master, the contracts of the former in that business, were held obligatory on the latter; but when the peculium only was the basis of credit, the parent or master was bound to apply the peculium to the fulfilment of those contracts. On the other hand, such contracts as were made with the slave or son, might be enforced for his benefit at the suit of the master or parent. So that the Roman slaves frequently conducted mercantile concerns, to considerable extent, to the improvement of their situation, and to the attainment of freedom.

According to the laws of English villenage, the property of the villein might be seized by the lord, though without actual seizure, it did not vest in him, but might be enjoyed or transferred by the villein, and, at his death, transmitted to his representative. But in practice, it was usual for villeins, not only to hold personal property to a considerable amount, but to purchase lands and tenements, and even manors.†

\* Stephen, *Just. Inst.*

† *Br. M. Tit. Villenage.*

The records of the judicial proceedings of those days, abound with cases resulting from the acquisition of real estate, by those servile people.‡

The villein was liable to chastisement by his lord, but this could be inflicted only in person, and not by deputy. In some cases he could carry on a prosecution against his lord, for injuries received, in which cases he was entitled to enfranchisement. With a wise and merciful correctness of principle, it was held, as law, that the master, whenever, by his misconduct he gave a right of suit against himself, gave also a right to freedom.§

EFFORTS FOR THE SUPPRESSION OF THE  
AFRICAN SLAVE TRADE—BY THE GOVERNMENT OF THE UNITED STATES.

During the revolutionary struggle, and sometime prior to the declaration of Independence, the delegates in Congress, without being specially empowered, passed and promulgated a resolution, "that no slaves should be imported into any part of the confederation."¶

The extensive tract of land lying west of Pennsylvania, extending from the river Ohio to the northern boundary of the United States, and westward to the Mississippi, having been ceded to the general government, by the states that claimed it; the Congress of 1787, passed an ordinance, which clearly indicates their judgment, not only of the African slave trade, but of slavery itself. This ordinance was designed, not merely to regulate the concerns of the territory, during its continuance under the ex-

‡ *Abridg. Br. & Viner & Co. Litt.*

§ *Stephen.*

¶ *Journals of Congress, for 1776.*

clusive jurisdiction of Congress, but to form the basis upon which the republican governments, to be formed within its limits, were required to be erected. The 6th article of this ordinance is as follows: "There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted."\* A proviso here follows, respecting the delivery of fugitives from labour, nearly similar to the clause afterwards introduced into the Federal constitution, article 4, section 2. This ordinance, so pregnant with principles proscriptive of slavery, had the unanimous sanction, through the votes of delegates in the old Congress, not only of Virginia, but of the Carolinas and Georgia.

In the convention, which in 1787, formed the Constitution of the United States, the African slave trade became a subject of serious discussion. This traffic had been prohibited by the local legislatures, in nearly all the states of the Union, and the powers vested in the Federal government, clearly included, if not specially reserved, the authority to exclude it altogether from our shores. The delegates from most of the states were anxious for an immediate and total abolition of this disgraceful traffic; but those from South Carolina and Georgia, strenuously contended for its further continuance. A compromise was at length effected, and the following clause inserted in the constitution: "*The migration or importation* of such persons, as any of the

states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person." Though *slaves* are here obviously alluded to, the *term* is studiously avoided, and it is no equivocal indication of the sentiments, which the framers of that instrument entertained on the subject of slavery, that the word is no where introduced; but in all the provisions relative to slaves, a substitute for the term is found, in words of more doubtful import, and frequently at the expense of a circumlocution. This circumstance has given rise to an opinion, that the delegates, when they were erecting this monument of their wisdom, expected it to remain, when the slavery, which they were compelled to tolerate, should be known only in the history of ages which were gone. The restriction on the authority of Congress, above recited, appears to have been acceded to, by the delegates from the north, under the persuasion, that South Carolina and Georgia, could not without it, be retained in the Union, and that the power to abolish the slave trade at the end of twenty years, was to be preferred to the risk of its indefinite continuance—in addition to the other evils resulting from a dissolution of the confederation.

An act of Congress, of March 22, 1794, provides, that no citizen of the United States, or any other person residing therein, shall build, or equip any vessel, for the purpose of carrying on the traffic in slaves, to any foreign country, or for the purpose of transporting slaves from one foreign country to another, under the penalty of

\* This ordinance is referred to, and its observance prescribed as an essential condition, in the admission, into the Union, of the States, north of the Ohio, and east of the Mississippi. See the Acts of April 30, 1802, April 19, 1816, and April 18, 1812.

the forfeiture of every vessel so employed, and the payment of a fine of two thousand dollars.

By an act of April 7, 1798, in relation to the Mississippi Territory, to which the constitutional restriction did not apply, the introduction of slaves from any place without the limits of the United States, was prohibited, under a penalty of 300 dollars for each slave introduced in violation of the law, and all such slaves were declared free.

By a law of May 10, 1800, the citizens, or residents of the United States, were prohibited from holding any right or property, in vessels employed in the transportation of slaves, from one foreign country to another, on pain of forfeiting their right of property; and likewise a fine equal to the double both of that right, and of their interest in the slaves. They were also prohibited, under a penalty, not exceeding 2000 dollars, and imprisonment of not more than two years, from serving on board any vessel employed in transporting slaves from one foreign country to another. The commissioned vessels of the United States were authorised to seize vessels and crews employed in violation of this act.

By an act of February 28, 1803, masters of vessels were forbidden to bring into any port, where the laws of the state prohibited the importation, any negro, mulatto, or other person of colour, not being a native, a citizen, or registered seaman of the United States, or a seaman of countries beyond the Cape of Good Hope, under a penalty of 1000 dollars for every person of colour imported contrary to the provisions of this act; and no vessel, having on board persons of the above description, was to be admitted

to an entry; and if any such person should be landed from on board any vessel, the vessel was to be forfeited.

The extensive territory lying on both sides of the Mississippi river, known by the name of Louisiana, having by the convention of the 30th of April, 1803, between the United States and the French Republic, been ceded to the former, the Congress, by an act of March 26, 1804, divided that country into two governments; "the Territory of Orleans," and the District of Louisiana. In the regulations adopted for the government of Orleans, we find the following: "It shall not be lawful for any person to bring into the said territory, from any place without the limits of the United States, or cause to be brought, any slave or slaves; and every person so offending, shall forfeit and pay for every slave imported, the sum of three hundred dollars; and every slave so imported shall receive his or her freedom. It shall not be lawful for any person to bring into the said territory, *from any place within the limits of the United States*, any slave or slaves, which shall have been imported, since the first day of May, 1798, into any place within the limits of the United States, or which may hereafter be so imported, from any place without the limits of the United States. And every person, so offending, shall forfeit for every slave imported, the sum of 300 dollars. And no slave shall be introduced into said territory, except by a citizen of the United States removing into said territory for actual settlement, and being, at the time of removal, the bona fide owner of such slave; and every slave brought into the territory, contrary to the provisions of this act, shall receive his or her freedom." This

act was to be in force for one year, but, by the act of March 2, 1805, appears to have been rendered permanent.

This act assumes a degree of importance, which it would not otherwise possess, from the principle which it involves relative to the authority of Congress, to control the migration as well as importation of slaves.

The message of the President, Thomas Jefferson, on the opening of Congress, dated December 2, 1806, contained the following important and philanthropic clause.

"I congratulate you, fellow citizens, on the approach of the period at which you may interpose your authority constitutionally, to withdraw the citizens of the United States from all further participation in those violations of human rights, which have been so long continued on the unoffending inhabitants of Africa, and which the morality, the reputation, and the best interests of our country, have long been eager to proscribe. Although no law you may pass can take the prohibitory effect until the first day of the year 1808, yet the intervening period is not too long to prevent, by timely notice, expeditions which cannot be completed before that day."

In conformity with this suggestion, a law, dated March 2, 1807, was enacted, of which the following is a summary :

Section 1, prescribes, That from and after the 1st day of January, 1808, it shall not be lawful to import into the United States, or territories thereof, from any foreign place or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of, such negro, mulatto, or person of co-

lour, as a slave, or to be held to service or labour.

Section 2, prohibits citizens of the United States, and others, from building, equipping, or preparing, any vessel within the jurisdiction of the United States, or causing any vessel to sail from any place within the same, for the purpose of procuring any negro, &c.\* from any foreign country, to be imported into the United States, to be held or disposed of as a slave. And every vessel fitted out or employed for this purpose, is, with her tackle and furniture, forfeited to the United States.

Section 3, enacts, that every person who shall build, fit out, or prepare, or send away any vessel, to be employed contrary to the intent of this act, or shall be aiding or abetting therein, shall severally forfeit the sum of twenty thousand dollars ; one moiety thereof to the United States, and the other moiety to those who shall prosecute the same to effect.

Section 4, provides, that if any persons resident within the jurisdiction of the United States, shall transport from Africa, or any other foreign country, any negro, &c. *for the purpose of selling them*, in any place within the jurisdiction of the United States, as slaves, every person, so offending, shall forfeit five thousand dollars, one moiety thereof to the person who shall prosecute the same to effect. And the ship in which such negro, &c. shall be transported, her tackle and furniture, and the goods and effects found on board, shall be forfeited to the United States. And the slaves thus imported shall be subject to any regulations, not contravening the provisions of this

\* Negro &c. means in this abridgement, negro, mulatto, or person of colour.

act, which the legislatures of the several states or territories, may hereafter make, for disposing of them.

Section 5, provides, that if any person resident within the jurisdiction of the United States, shall take on board of any vessel from Africa, or any other foreign country, any negro, &c. with intent to sell him, her, or them, for a slave or slaves, and shall transport the same to any place within the jurisdiction of the United States, and there sell such negro, &c. so transported, for a slave, every person so offending, shall suffer an imprisonment of not more than ten, nor less than five years, and be fined not more than ten thousand dollars, nor less than one thousand.

Section 6, enacts, that if any persons shall purchase or sell any negro, &c. for a slave, who shall have been imported from any foreign place or country, or from the dominions of any foreign state, adjoining the United States, into any place within the jurisdiction of the United States, after the last of December, 1807, knowing at the time of such purchase or sale, such negro, &c. was so brought within the jurisdiction of the United States, such purchaser and seller shall severally forfeit and pay, for every negro, &c. so purchased or sold, eight hundred dollars. Provided, that this forfeiture shall not extend to the seller or purchaser of any negro, &c. who may be sold in virtue of any regulation to be made by any state legislature, in pursuance of this act, and the constitution of the United States.

Section 7, authorises the President to employ a part of the naval force of the United States, to seize and bring into port, any vessels which may be found within the jurisdictional limits

of the United States, or hovering on the coasts thereof, having on board any negro, &c. for the purpose of selling them as slaves, or with intent to land them, in any place within the jurisdiction of the United States. And the vessels which may be thus found contravening the provisions of this act, are, with their tackle and furniture, and the goods on board, forfeited to the use of the United States. He is authorised to direct the commanders to seize and bring into port, all ships or vessels of the United States, wheresoever found on the high seas, contravening the provisions of this act; and the commanders of the vessels so seized, are subjected to a fine not exceeding ten thousand dollars, and imprisonment not less than two, nor more than four years. One half of the proceeds of vessels, thus seized and condemned, to be distributed among the officers and men, by whom the seizure shall be made; the officers and men being required to keep safely, every negro, &c. found on board the vessels thus taken, and deliver them to the proper authorities, where the vessel may be found or brought.

Section 8, prohibits masters of vessels of less burden than forty tons, from transporting any negro, &c. to any port or place whatever, for the purpose of disposing of them as slaves, on the penalty of eight hundred dollars, for every negro, &c. so transported. Provided that nothing in this section shall prohibit the transportation, on any river or inland bay of the sea, within the jurisdiction of the United States, any negro, &c. (not imported contrary to the provisions of this act) in any vessel or species of craft whatever.

Section 9, enjoins the master of



any ship or vessel, of the burden of forty tons or upwards, sailing coast-wise, from any port in the United States, to any other port or place within the jurisdiction of the same, having on board any negro, &c. for the purpose of transporting them to be disposed of as slaves, to make out and subscribe, previous to the departure of such vessel, duplicate manifests of every such negro, &c. on board such vessel, specifying the name and sex of each person, their age and stature, as near as may be, and the class to which they respectively belong, whether negro, mulatto, or person of colour, with the name and place of residence, of the owner or shipper, and to deliver such manifests to the collector or surveyor of the port before whom the master, together with the owner or shipper, shall swear or affirm, to the best of their knowledge and belief, that the persons therein specified, were not brought into the United States after the 1st of January, 1808, and that under the laws of the state, they are held to service or labour; whereupon the said collector or surveyor, shall certify the same on the said manifests, one of which he shall return to the said master, with a permit, specifying thereon the number, ages, and general description of such persons, and authorising him to proceed to the port of his destination. And if any ship or vessel, being laden and destined as aforesaid, shall depart without complying with the requisitions above specified, or shall, previous to arriving at her port of destination, take on board any negro, &c. other than those specified in the manifests, every such vessel, her apparel and furniture, shall be forfeited; and the commander of such vessel shall

moreover, forfeit for every negro, &c. so transported, or taken on board, the sum of one thousand dollars, one half of which shall be for the use of any person who shall prosecute the same to effect.

Section 10, directs the commanders of vessels laden, and sailing, as described in the 9th section, upon their arrival at their port of destination, to deliver to the collector or surveyor of the port, the certified copy of the manifest and permit before described, and certify its truth on oath or affirmation, previous to their landing or permitting to go on shore, any of the persons aforesaid. And any commander who shall neglect or refuse to comply with this injunction, shall forfeit ten thousand dollars, one half whereof shall be for the use of any person who shall prosecute the same to effect.

By an act of April 20, 1818, in addition to the preceding, further provision is made to prevent the importation of slaves into any place within the jurisdiction of the United States.

By this act, the first six sections of the former are modified, supplied, and repealed, except that all offences committed prior to the passage of this addition, which were punishable by any of those six sections, are still liable to like prosecution as though the law had continued unaltered. Every species of water-craft whatever, employed in the transportation of negroes, &c. from any foreign country to any place within the jurisdiction of the United States; every vessel built or equipped, or sailing from any place within the jurisdiction of the United States, for the purpose of procuring negroes, &c. to be transported to *any place whatever*, to be held or disposed of as slaves, is liable to forfeiture.

The penalty prescribed by the third section of the former act, is here reduced from twenty thousand dollars to a sum not exceeding five thousand, nor less than one thousand dollars, but with this important addition, "an imprisonment not exceeding seven years, nor less than three. The fourth section is modified, by extending the penalty to the act of *taking on board at sea*\* any negro, &c. not held by the laws of any state or territory of the United States, as a slave, and making not only the goods *found on board* any vessel employed in violation of the law, but those *which shall have been imported therein in the same voyage*, liable to forfeiture. The fine is fixed at a maximum of five thousand dollars, and a minimum of one thousand, with the addition of an imprisonment from three to seven years. The most exceptionable part of this section, was, however, retained, viz. the provision which rendered the slaves imported in violation of the law, liable to be retained and *disposed of as slaves*.† The

\* By this modification the law is defended from an evasion, which unprincipled ingenuity might easily suggest; that of conveying the slaves from the African coast in one vessel, and transferring them, on the high seas, to another to be transported in the latter to their place of destination. Puerile as such an evasion must appear to an unsophisticated understanding, it would be difficult to affix to this act the punishment prescribed by the law for their transportation from a foreign country, for it is a fundamental rule of construction that penal statutes are to be construed strictly. *Blac. Com.* Vol. I. p. 87.

† It is certainly a curious anomaly in legislation, that during the summer of 1818, three American schooners, viz. the *Louisa*, *Constitution* and *Merino*, with American registers, which had sailed, the two former from New Orleans, and the other from Mobile, cleared out from Havana, in the island of Cuba for the ports, from which they had respectively sailed, with a number of slaves on board, and being captured

5th section is modified so as to include the reception *at sea*, as well as on the coast of a foreign country, of any negro, &c. and the *aiders or abettors*, as well as the principals, within the penal provisions of the statute. The term of imprisonment is limited to seven years, and is not to be less than three. The sixth section is so changed, as to impose a penalty of one thousand dollars on every person, his aiders and abettors, who shall *hold*, purchase, sell, or dispose of as a slave, any negro, &c. introduced from any place beyond the jurisdiction of the United States, after the passage of this law. The offender to stand committed until the forfeiture be paid. The proviso in the sixth section of the former act, is retained in this.

All the penalties incurred, are, by this act, directed to be divided equally between the United States and the persons who shall prosecute them to effect. The remaining sections of the law of 1807, are left unchanged.

The eighth section is characterized by a peculiarity of legislative precaution. In all prosecutions under this act, the defendants shall be held to prove, that the negro, &c. which they shall be charged with having brought into the United States, or with purchasing, &c. and which, according to the evidence, the said defendants shall have brought in, or disposed of, was brought into the United States, at least within the jurisdiction of the United States, were libelled in the United States' court for the territory of Alabama. After a protracted trial, the surviving slaves found on board the *Constitution*, were adjudged to the Spanish claimants, and were sold by their legal representatives, at public sale in the city of *Mobile*. The others were condemned as forfeited to the United States, and ordered to be publicly sold by the Marshal in the same city. See President's message to Congress, March 8, 1836.

five years previous to the commencement of such prosecution, or was not brought in, held, purchased, or disposed of, contrary to the provisions of this act; and the defendants upon failure of such proof, shall be adjudged guilty. Prosecutions to be commenced within five years after the offence was committed.

An act of March 3d, 1819, authorises the President to employ any of the armed ships of the United States, to cruise in such places as he may judge proper, and to instruct the commanders, to seize and bring into port, all vessels of the United States wherever found, which are, or have been engaged, or are intended to engage in the transportation of slaves, contrary to existing laws. And the proceeds of all vessels so seized, shall, when condemned, be equally divided between the United States and the officers and crew, by whom the capture shall be made. Provided, that said officers and crew shall safely keep and deliver to the marshal of the district, or other officer appointed by the President to receive them, all negroes, &c. found on board the captured vessel; and provided also, that they shall take into custody the officers and crews of the vessels so captured, and deliver them to the civil authorities, to be proceeded against according to law. A bounty of twenty-five dollars is assigned to the officers and crews of the commissioned vessels of the United States, for every negro, &c. delivered by them to the proper officers. The President is authorised to make such arrangements as he may judge expedient, for the safe-keeping, support, and removal beyond the limits of the United States, of all slaves delivered and brought within their jurisdiction;

and to appoint an agent on the coast of Africa, to receive such slaves as may be found on board of vessels seized by the armed ships of the United States.

It is made the duty of the District Attorneys of any state or territory, upon information being lodged with them of the illegal importation of negroes, &c. to commence forthwith a prosecution against the person charged with holding the slaves alleged to be so imported. And in case it shall be proved that the slaves were brought in contrary to law, the court shall direct them to be delivered to the marshal, to be placed at the disposal of the President; and the informer shall receive a bounty of fifty dollars for every negro, &c. thus delivered to the custody of the marshal.

An act of May 15th, 1820, for punishing the crime of piracy, prescribes, that if any citizen of the United States, being of the crew or ship's company, of any foreign ship or vessel, engaged in the slave trade, or any person whatever, being of the crew of any vessel, owned in whole, or in part, or navigated for, or in behalf of, any citizen of the United States, shall land from any such ship or vessel, and on any foreign shore seize any negro or mulatto, not held to service or labour by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall decoy, or forcibly bring or carry, or shall receive such negro or mulatto on board any such ship or vessel, with intent as aforesaid, such citizen or person shall be adjudged a pirate; and on conviction thereof before the circuit court of the United States, for the district where he may be brought or found, shall suffer death.

And if any citizen of the United States, being of the crew or ship's company, of any foreign ship or vessel, engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship or vessel, owned wholly or in part, or navigated for or in behalf of, any citizen of the United States, shall forcibly confine or detain, or shall aid and abet in forcibly confining or detaining on board any such ship or vessel, any negro or mulatto, not held to service by the laws of either of the states or territories of the United States, with intent to make such negro or mulatto a slave, or shall on board any such ship or vessel, offer or attempt to sell, as a slave, any negro or mulatto not held to service as aforesaid, or shall on the high seas, or any where on tide water, transfer or deliver over, to any other ship or vessel, any negro or mulatto, not held to service as aforesaid, with intent to make such negro or mulatto a slave, or shall land, or deliver on shore, from on board any such ship or vessel, any negro or mulatto, with intent to make sale of, or having previously sold, such negro or mulatto as a slave, such citizen or person shall be adjudged a pirate; and on conviction thereof, before the circuit court of the United States for the district wherein he shall be brought or found, shall suffer death.\*

\* The last section of the law of 1820 is very important. The citizens of Philadelphia have been recently called to contemplate a traffic in slaves, from their own shores, little less revolting to humanity, than that which has long disgraced the intercourse of civilized Europe with savage Africa, but probably few of them are aware that the waters of the Delaware and Chesapeake are the scene of a commerce, denounced as piratical by the laws of the United States.

## GEOGRAPHICAL SKETCHES OF AFRICA.

This division of the globe consists of an extensive peninsula, joined to Asia by the low sandy isthmus of Suez, which is interposed between the Mediterranean sea, and the Arabian gulf. The breadth of this isthmus, in a straight line, is, according to Malte Brun, nearly seventy-two miles.

The etymology of the name, by which this peninsula is now designated, has exercised the learning and ingenuity of the curious. According to Bochart it is derived from *feric*, a punnic word signifying an ear of corn, an appellation supposed to be given as indicative of its remarkable fertility.—Servius with greater plausibility, deduces it from the greek *α*, without, and *frike*, cold; a name sufficiently characteristic of its burning climate.

The form of this continent, has been, by some writers, compared to a triangle, the base stretching along the Mediterranean from the straits of Gades to the isthmus of Suez, and the vertex projecting far into the southern hemisphere, and forming a promontory a little to the east of the Cape of Good Hope.

From cape Guardafui, which forms the eastern extremity of Africa, lying in latitude  $11^{\circ} 52'$  north, and longitude  $51^{\circ} 56'$  east from Greenwich, to Cape Verd, its furthest western projection in latitude  $14^{\circ} 47'$  north, and longitude  $17^{\circ} 33'$  west, the distance on a great circle of the earth is  $67^{\circ} 17'$  or about 4653 miles; and from Cape Blanco, in the Mediterranean, in latitude  $37^{\circ} 20'$  north, and longitude  $9^{\circ} 53'$  east, to Cape Lagullas in latitude  $34^{\circ} 53'$  south, and longitude  $20^{\circ} 10'$  east, the distance is  $72^{\circ} 51'$ , or about 5030 miles.\* The area of this vast continent is estimated at 13,430,000 square miles.

"It was from the African shores that the Egyptian colonies, in the most remote times, brought to savage

\* Owing to the spheroidal form of the earth the length of a degree on a great circle is not every where the same. According to professor Playfair, the circumference of the equator is 24856.16 miles, and that of the meridian 24855.84 miles. The degrees of the meridian lengthen as the latitude, either north or south, is increased.

Europe the first germs of civilization. At the present day, Africa is the latest portion of the old world to receive, from the hands of Europeans, the salutary yoke of legislation and of culture. If Africa has remained so long inaccessible to the ambition of conquerors, to commercial enterprise, and to the curiosity of travellers, we shall find, in its physical form, the principal cause of its obscurity. This vast peninsula possesses but few rivers of extensive and easy navigation. Its harbours and roadsteads seldom afford a safe retreat for vessels, and no gulf or inland sea opens the way to the interior of this mass of countries. The Mediterranean on the north, by which it is separated from Europe, and the Atlantic and Ethiopian oceans, which encompass it on the west, form considerable inequalities in the line of coast, to which the name of gulfs, has improperly been given, viz: the gulf of Guinea, in the south, and that of Syrtis in the north, both held in dread by navigators. The breadth of the continent, between the bottoms of these gulfs is still 1800 miles. The coasts of Senegal and Guinea, indeed, present several mouths of rivers accompanied with islands; and were it not for the barbarous character\* of the people, these would be the most accessible parts of Africa. To the south, however, the continent resumes its usual appearance, and terminates in a mass of land without any deep windings. To the east a number of islands, and some mouths of rivers, seem to promise a readier access. The coast washed by the Indian Ocean, lies low, like the opposite shores of Guinea, but we find only a short way in the interior, the formidable terrace of arid mountains which forms the eastern extremity of the continent. In the north-east the Arabian gulf, or red sea, separates Africa from Asia without breaking the gloomy uniformity of the African coast.

\* Besides the connexion of Africa to Asia, formed by the isthmus of Suez, it has two remarkable approximations to the old continent. In the north-west

\* The causes which have contributed to perpetuate, if not originally to produce, this barbarous character will appear at large in the future numbers of this paper. *Editor.*

the narrow strait of Gibraltar divides it from Europe; and in the east Arabia is separated from it by the strait of Babelmandel.

"In some parts excessively parched, in others marshy or flooded, the soil of Africa presents strange contrasts. At great mutual distances are some large and beneficent rivers; as the Nile in the north-east, the Senegal and Gambia, in the west, the Zaire in the south-west, the Cuama on the east coast; and in the centre, the mysterious Niger,\* which conceals its termination as the Nile used to conceal its origin. More frequently we find small and short streams, such as all the rest, with the exception of ten or twelve, almost all containing cataracts in their course, and presenting bars or sand banks at their mouths. In the interior, and even on the coast, there are great and lofty rocks from which no torrents proceed; and table-lands watered by no streams, as the great desert of Zahara, and others of minor extent. At a greater distance are countries constantly impregnated with moisture, as those which contain the lake or marsh of Wangara, and the lake Maravi, and some temporary lakes, occasioned by the rising of the rivers.

"Though Africa very probably has mountains high enough to be covered with perennial snow, even under the equator, that is 16,000 feet† in elevation, it is in general to be remarked, that the African chains are more distinguished for their breadth

\* This river, until visited by Mungo Park was supposed to flow toward the west, he found its course was easterly. From the efforts which are now making to explore the interior of Africa, sanguine hopes are entertained that the Niger will soon be stripped of its mysterious character. Should any important discovery on this head be made public, they will appear in a future number. *Editor.*

† That scientific traveller, the Russian Humboldt places the commencement of perpetual frost under the equator at the height of 4796 metres (corresponding to 15737 feet) above the level of the sea. This, however, must depend in some measure, on the form as well as the angle of the land. An isolated peak, or narrow ridge, will be colder than an extensive tract of table land at the same elevation; because the latter, presenting a larger surface to the solar rays, and coming in contact with a greater extent of atmosphere, is subjected to a less rapid privation of heat. It is probable, therefore, that the region of perennial snow commences, among the mountains of Africa, at a greater elevation, than on the precipitous ridges of South America.

than for their height. If they reach a great elevation, it is by a gradual rise, and in a succession of terraces. Perhaps we should not deviate far from the truth if we were to venture the assertion, that the whole body of the African mountains forms one great plateau, presenting toward each coast a succession of terraces. This nucleus of the African continent seems to contain few long and high ranges in the interior, so that if the sea were to rise to a height above its present level sufficient to cover all the low lands which line its shores, Africa would perhaps appear almost a level island in the midst of the ocean.

"None of the known chains of Africa are adverse to this view of its surface. Atlas, which lines nearly the whole of the north coast, is a series of five or six small chains, rising one behind another, and including many table lands. The littoral chain of the red sea, or the Troglodytic chain, resembles Atlas in its calcareous steepness, so imposing to the eye of the traveller, yet really of very moderate height.—The Lupata chain, or the spine of the world, which seems to reach from cape Guardafui to the Cape of Good Hope, in a direction not well known, contains the plateaus of Adel and Mocaranga; it terminates in the south in high and barren plains, called the Kanos, and in steep mountains with flat summits, one of which has received the significant name of the Table Mountain. This chain then seems to resemble the former two. The rivers of Guinea descend in a series of cataracts, not in long and deep valleys. It is the usual character of calcareous mountains to be formed into terraces, and such seems to be the nature of the Kong mountains.

"In the interior of Africa, some of the vast plains which occupy the greater part of its extent, covered with sand and gravel, with a mixture of sea shells and encrusted with crystallizations, look like the basins of evaporated seas. Such is the famous desert of Zahara, where the sands moving like the waves of the sea are said to have swallowed up entire tribes." Many

\* During the whole of my route I had reason to suspect that the accounts in books of travels, which have generated such terrific notions of the moving sands of Africa, are greatly exag-

gerated. Our companions indeed affected to relate various stories of caravans that had been overwhelmed. But as neither time nor place was adduced, it would seem not unreasonable to doubt the truth of the assertion.

If caravans have been thus buried, it may be presumed that accident can only have happened after they had lost the power of moving by the influence of a hot wind, want of water and other causes. A number of men, and other animals, found dead, and covered with sand, would be sufficient ground for succeeding travellers to believe, or at least to relate, that the persons thus found, had been overwhelmed on their march; though the accumulation had not occurred till they were already dead. Brown's Travels, page 249. The army of Cambyses was reported to have been overwhelmed in the deserts of Lybia beneath a mountain of sand [Vide Herodotus, Tha. §26] and the story has been embellished by the poetic imagination of Darwin, but it appears more probable that they perished from thirst and fatigue. Bruce, (Vol. V. p. 318.) gives the following account of some phenomena observed in the deserts of Barabara. Here we were at once surprised and terrified by a sight, surely one of the most magnificent in the world. In that vast expanse of desert, we saw a number of prodigious pillars of sand at different distances from us, at times moving with great celerity, at others stalking on with majestic slowness; at intervals we thought they were coming in a few minutes to overwhelm us; and small quantities of sand did actually more than once reach us; again they would retreat so as to be almost out of sight, their tops reaching to the very clouds. There the tops often separated, from the bodies; and these being once disjoined, dispersed in the air, and disappeared. Sometimes they were broken near the middle, as if struck with a large cannon shot. About noon they began to approach with considerable swiftness. Eleven of them ranged along side of us about the distance of three miles. The diameter of the largest appeared to me as if it would measure ten feet.—They at length retired from us leaving an impression upon my mind to which I can give no name, though surely one ingredient in it was fear, with a considerable mixture of wonder and astonishment.

countries, generally contained between two branches of the river diverging to form a triangle, have, from their figure received a name taken from Delta, the fourth letter of the Greek alphabet, which is a triangle. The term has been given, by way of eminence, to the flat island formed by the Nile in lower Egypt. Another class of fertile lands owes its existence to springs, which, here and there, burst forth in the midst of deserts; these spots of verdure are called *oases*. Even Strabo mentions them, when he says, "to the south of Atlas lies a vast desert of sand and stones, which like the spotted skin of a panther, is here and there diversified by *oases*;" that is to say, by fertile grounds, rising like islands in the midst of the ocean.

"It is to these contrasts that Africa owes its twofold reputation. This land of perpetual thirst, this arid nursery of lions, as it was called by the ancients, was at the same time, represented under the emblem of a woman, crowned with ears of corn, or holding ears of corn in her hand. Although the character of high fertility belongs especially to the Africa propria of the ancients, that is, to the present state of Tunis, it is certain, that in this part of the world, wherever moisture is conjoined with heat, vegetation displays great vigour and magnificence. The human species find abundant aliment at a very insignificant expense of labour. The corn stalks bend under their load; the vine attains a colossal size; melons and pumpkins acquire enormous volume: millet and holcus, the grain which is most common over three fourths of this continent, though badly cultivated, yield a return of two hundred fold; and the date tree; which is to the African what the cocoa nut and the bread fruit are in Oceanica, can withstand the fiery winds which assail it from the neighbouring deserts. The forests of Mount Atlas are equal to the finest of Italy and Spain. Those of the Cape, boast of the silver leaved Protea and some elegant trees. In the whole of Guinea, Senegambia, Congo, Nigritia, and the eastern coast, formerly denominated India, are to be found the same thick forests as in America. But in parts which are marshy or arid,

sandy or rocky, that is in one half of Africa, the natural vegetation presents a harsh and uncouth physiognomy.

"The animal kingdom presents still greater variety and more originality. Africa possesses most of the animals of the old continent, and, in some species, the most vigorous and the most beautiful varieties. Such are the horse of Barbary, the Cape buffalo, the Senegal mule, and the zebra, the pride of the Asinine race. The African lion is the only lion worthy of the name. The elephant and the rhinoceros, though of less colossal dimensions than those of Asia, have more agility, and perhaps more ferocity, though the African elephant is said to fly at the sight of that of Asia. Several very singular animal forms appear to be peculiar to this part of the world. The unwieldy hippopotamus inhabits the south, from the Cape of Good Hope to Egypt, and to Senegal. The majestic giraffe, the prototype of the seraphim, which the Arabian mythology yoked to the chariot of the lord of thunder, roams from the Niger to the Orange River. The gazelle, or antelope genus, peoples Africa with numerous species and varieties; some lighter and handsomer than others, and perhaps all differing from those of the table lands of Asia. Africa, filled with monstrous apes and disgusting baboons, is probably deficient in many species of monkeys which seem reserved for Oceanica, as the ourang-outang; or for America, as the sapa-joo. The winged race of Africa is equally peculiar. The flamingo, in his scarlet robe, the paroquet, clad in emerald and saffron hues, the digretta, of elegant plumage, might have imparted sufficient interest to the descriptive pen of Vaillant, though he had added no imaginary birds. The ostrich is peculiar to Africa,\* as the cassowary is to Oceanica, and the too-yoo to South America; but among the walking birds, or those which have no true wings, that of Africa is the largest and most perfect."—*Make Brun*.

Though the modern travellers, who have visited Africa, have thrown much

\* This does not appear to be strictly correct, the ostrich being found amid the sandy deserts of Arabia, and, formerly at least, much further eastward.—Edin. Ency. art. Ornithology.

light on the geography of that continent, and communicated much interesting information concerning the condition and character of its inhabitants; though they have confirmed many facts which had been mentioned by the ancients; ascertained many circumstances which were formerly doubtful; and introduced to our notice several new countries and nations, yet, notwithstanding all their exertions, there is a space of many hundred miles, in the interior of Africa, north of the equator, that remains unexplored; while the inland country south of the line, is almost wholly unknown.

Africa, as at present known to Europeans, may be divided, in general, into north, south, west, east, and central Africa.

North Africa contains the following countries, viz: Egypt, Barca, Tunis, Tripoli, Algiers, Morocco, Fez, Tafillet, Biledulgerid, and the Sahara. These countries are inhabited chiefly by Moors, descended from the Arabs, and intermingled with the different nations, who at various times have established colonies in Africa. These Moors have overspread the habitable parts of the desert; extended their conquests and colonies towards the south, and driving before them the negro aborigines, have forced them, in several instances, to retire beyond the great rivers. Yet the negroes, addicted to agriculture, probably never possessed any considerable portion of the desert, which is much better adapted to the wandering and pastoral life of the Moors.

West Africa contains the two great divisions of Guinea and Congo; the former of which may be subdivided into North Guinea, or Senegal, containing the country of the Jalops and Foulahs, and the kingdom of the Mandingoes. Within this subdivision is situated the English colony of Sierra Leone.\* South Guinea, containing the Pepper coast, the Ivory coast, and the Gold coast. Within this subdivision is the new American colony of Liberia, or Mesurado. East Guinea, or

the Slave coast, in which are the kingdoms of Whidah, Ardra, and Benin. In Congo are comprehended the kingdoms of Loango, Congo, Ango, Matamba, and Benguela.

South Africa, or Caffraria, contains the country of the Namaquas, the country of the Hottentots, and the English colony of the Cape of Good Hope. Eastward of the Cape, we find on the south eastern coast the kingdoms of Inhambanc, Manica, Sabia, Sofala, and Mocaranga, or as it is sometimes called, Monomatapa. East Africa has been divided into the coast of Zanguebar, the coast of Ajan, and the coast of Adel. In Zanguebar are comprehended the kingdoms of Mozambique, Mongalla, Quilao, Montbaza, Melinda, and the country of the Moenmugi. Ajan contains the republic of Brava, and the kingdom of Magadoxa. Adel is an extensive kingdom, stretching 160 leagues from east to west, and 72 from north to south.

Central Africa, according to this division, includes Nigritia, or Soudan, Nubia, and Abyssinia. Under the name of Nigritia, is included that extensive tract of country, south of the Sahara, which stretches almost across the African continent, on both sides of the Niger. It contains the empires of Houssa, Tombuctoo, the country of the Agudez, the kingdoms of Ludamar, Bondou, Bamhour, and other smaller principalities recently discovered by Mungo Park; and towards the east, the kingdoms of Bornou and Darfur. Nubia, an extensive country between Egypt and Abyssinia, comprehends Turkish Nubia, with the kingdoms of Dongola and Sennaar. As Africa lies chiefly within the torrid zone, winter, according to the apprehension of a native of the temperate zones, must be there almost wholly unknown. The seasons are, however, marked by other peculiarities. The most prominent distinctions of the African seasons, are the rainy and the dry.

#### SOME ACCOUNT OF THE PERIODICAL WINDS AND RAINS OF THE TORRID ZONE.

As the most remarkable feature of

\* The Lion Mountains. The term Sierra being given to the mountains on account of their broken summits, supposed to have some resemblance to a saw.



the African year is its division into the rainy season and the dry, both much more strongly marked, than in almost any part of the temperate zones, a brief account of these periodical changes, and the winds which generally prevail in the torrid zone, and a few degrees beyond the tropics, may probably be acceptable to such of our readers as have been but little conversant with the peculiarities of that region of the globe.

In the Pacific and Atlantic Oceans, at a distance from land, it is well known that a wind, nearly constant, blows from the east, throughout the year, over that great belt of waters included between the parallels of 27 or 28 degrees north, and as many south. This wind, as we recede from the equator, is still further deflected from its eastern direction, towards the nearest pole. This phenomenon is caused by the rarefaction of the air, in those places to which the sun is nearly vertical, and the consequent movement of the colder and denser air towards the regions where the rarefaction has occurred.

To this general current of air, called by mariners the trade wind, is to be attributed those remarkable aqueous currents, which have been observed on the shores of the Mexican gulf, along the coast of North America as far as Newfoundland, and near the western shores of Europe and Africa. On these currents a few observations will be offered.

The trade winds sweeping across the Atlantic, in the neighbourhood of the equator, impart to the mass of waters, a westerly motion, towards the shores of South America; where the situation of the land, directs the current toward the Isthmus of Panama. The waters thus accumulated in the Gulf of Mexico, are supposed to rise considerably above the level of the Pacific, on the opposite shore. The current having followed the bendings of the Mexican coast, from Vera Cruz to the mouth of the Rio del Norte, and thence to the mouths of the Mississippi and to the shoals to the west of the southern extremity of Florida,—takes there a direction towards the north, and drives with impetuosity into the Gulf of Florida. Its celerity was there

observed by Humboldt, in 1804, to be five feet per second, though a north wind was then blowing, with great violence. At the end of the Gulf of Florida, in the latitude of Cape Carnival, the gulf stream flows to the north east with a velocity, which is sometimes as great as five miles an hour. The pilot may judge of his proximity to Charleston, Philadelphia, or New York, by his arrival on the borders of the gulf stream; for the elevated temperature of the waters, their strong saltness, indigo colour, the shoals of sea weed which cover their surface, as well as the heat of the surrounding atmosphere, all indicate this remarkable stream. Its breadth increases toward the north at the same time that its rapidity decreases and its waters cool. The temperature of the water in the latitude of 40° and 41°, was found to be 72°; when in the same latitude beyond the limits of the stream, the heat at the surface was only 63. Consequently the temperature of the gulf stream, in the parallel of New York, is nearly the same as that of the ocean in the parallel of Porto Rico, and the islands of Cape Verd.

To the east of Boston, the current is nearly eighty leagues in breadth. Here it turns to the east, so that its western edge as it bends, skirts the extremity of the great bank of Newfoundland, which Volney calls the bar of the mouth of this enormous sea river. The cold waters of this bank, which, according to the observations of Humboldt, were at the temperature of 48 or 50 degrees, present a striking contrast with the waters of the torrid zone, driven to the north by the gulf stream, the temperature of which is from 70 to 73 degrees. In these latitudes the caloric is distributed in a singular manner throughout the ocean; the waters of the bank are 17° colder than the neighbouring sea, and this sea is 5° degrees colder than the current.\*

\* To this diversity in the temperatures of contiguous portions of water, must, doubtless, be attributed the prevalence of fogs on the banks of Newfoundland. The air rising on the waters of the stream, and thence acquiring an elevated temperature, becomes charged with vapours, nearly to its point of saturation. This air becoming mixed with colder portions of air

From the banks of Newfoundland to the Azores, the gulf stream continues its course towards the east. The waters still preserve a part of the impulsion which they had received, at a distance of nearly a thousand leagues. On the meridian of the Isles of Corvo and Flores, the most westerly of the Azores, the breadth of the current is 160 leagues.

From the Azores, the current turns towards the Straits of Gibraltar, the Isle of Madeira, and the Canary Islands. The opening into the Mediterranean, contributes, no doubt, to accelerate the motion of the waters towards the east;\* but if this strait had not existed, vessels sailing to Teneriffe, would, probably, have been driven to the south east by a current, whose cause must be sought in the regions of the equator, and on the shores of the western world. To the south of Madeira, the current may be traced to the south east and south south east, towards the coast of Africa, between Cape Cantin and Cape Bajadoz. In these latitudes, a vessel becalmed, is liable to be carried on the coast at a time when the crew, relying on their reckoning, suppose themselves far to the west. In the parallel of Cape Blanc, the current mixes with that of the tropics to begin anew its course to the west.

The trade wind of the great Pacific Ocean, must necessarily produce a correspondent movement in the zone of waters over which it flows, but the circumstances of this sea river do not appear to have been observed with the same attention as those of the Atlantic. To this we may, with great plausibility, if not absolute certainty, attribute the elevation of the waters in the Arabian gulf, and doubtless in the

mosphere, or coming in contact with the colder waters, is itself so far cooled as to precipitate its vapours in mists and fogs.

\* Dr. Halley instituted an inquiry into the cause of the current which is found always flowing from the Atlantic into the Mediterranean. He ascertained by experiment, the quantity of water evaporated in a given time, from a surface of known extent, at the usual temperature of that sea, and making a liberal allowance for the quantity discharged into it by the rivers, found a large excess on the side of the evaporation, quite sufficient to account for the current in question.

adjacent seas above the level of the Mediterranean.†

These general winds are always modified, or totally changed, in the vicinity of the shores, by the situation and character of the land.

Along the western coast of Africa, the wind is generally directed from the ocean toward the land, assuming of consequence, various directions, according to varieties of the coast. This is readily explained by observing that the air which rests on the burning sands of Africa, must be generally more rarefied than that on the adjacent ocean. In the Atlantic ocean, at no great distance from the African shore, there is a tract, which is subject to calms, occasionally broken with violent storms, attended with terrible thunder, and torrents of rain. This region appears to be the dividing line between the currents which flow toward the African coast, and the general trade wind which moves to the west. The air being here attenuated by those opposite currents, is, no doubt, replenished, by strata descending from the higher and colder regions of the atmosphere, which, mingling with the saturated strata at the surface, produce those tremendous electrical phenomena, and rapid depositions of water, by which this tract of the ocean is marked.

A wind, which though not altogether peculiar to the torrid zone, is more remarkable there than any where else, is that called the sea and the land breeze. This breeze is most observable where the land, at no great distance from the coast, is of considerable elevation; as in the islands of Jamaica, Cuba, and others, in the West Indian seas. During the greater part of the day, a breeze sets from the ocean toward the land, which in the evening dies away, and is soon succeeded by a current from the land toward the sea. The air reposing on the lands which are exposed to the favours of a tropical sun, becomes, during the day, much more rarefied, than

† The level of the Mediterranean is 30 feet lower than that of the gulf of Suez. The level of the water of the Nile, at Cairo, when lowest, in 1798, 1799, and 1800, was nine feet lower than the gulf at low water. But the Nile when highest is nine feet above the level of the gulf at high water.—M. Brun.

that on the water; hence the sea breeze. But this air, driven to the elevated regions in the interior becomes condensed, and thus when the source of heat is withdrawn, this air soon preponderates over that of the ocean, where a temperature nearly uniform is preserved. Hence a night wind prevails, in the mountainous countries, within the torrid zone, blowing on all sides toward the ocean. It is observable that in those islands where there are no mountains, the land breeze does not occur.

In the Indian Ocean, and along the eastern coast of Africa, the winds are chiefly periodical; blowing during nearly half the year in one direction, and most of the other half in the opposite one. These periodical winds are called the monsoons. Between  $10^{\circ}$  and  $30^{\circ}$  of south latitude, from Madagascar to New Holland, a general trade wind, nearly south east by east, prevails throughout the year. Within the same longitudes, near the equator, the winds blow in a south eastern direction from May to October; and during the rest of the year on the opposite point. This monsoon extends from about  $3^{\circ}$  to  $10^{\circ}$  of south latitude. From about three degrees of south latitude over all the Arabian and Indian seas and gulf of Bengal, from Sumatra to the coast of Africa, another monsoon prevails, blowing from October to April, from the north east; but during the rest of the year, its course is nearly on the opposite points.\*

A wind from the north, called the Etesian wind, sweeps along the valley of Egypt, from April to October, and during the same time, a wind blows along the Arabian gulf, from Suez to the straits of Babelmandel, and from November to March, a wind in the opposite direction prevails.† Bruce, by tracing these periodical winds in the Arabian gulf, and along the eastern shore of the African continent, and comparing their returns with the time occupied by the voyage, has endeavoured to show that the Ophir, to which the fleets of Solomon resorted, for gold and silver, must have been in that part

of Africa, now known by the name of Sofala.

These periodical changes are readily explained upon the principle, that when land and ocean are equally exposed to a high degree of heat, the land acquires the higher temperature, and hence, under these circumstances, the wind will blow toward the land; but when the source of heat is withdrawn, the surface of the land soon becomes colder than that of the contiguous ocean, and thence a wind, directed toward the water, must ensue. These phenomena, however, must be modified by a variety of local causes.

The tropical year has been already mentioned, as consisting of the rainy season and the dry; this, however, must be accepted with some limitations, as in some places within the torrid zone, rain is very seldom seen.

A late respectable geographer observes, "It is well known that the rainy season, which, *over the whole torrid zone is synchronous with the vertical position of the sun*, brings on almost continual drenching rains. The heavens, formerly burning like a flame, are transformed into a great atmospheric ocean. The copious waters which they pour down, collect on the table lands of the interior, where they form immense sheets of water or temporary lakes. When these lakes have reached a level high enough to overflow the boundaries of their basins, they suddenly send down into the rivers previously much swollen, an enormous volume of water, impregnated with the soft earth, over which it has for a time stagnated. Hence the momentary pauses and sudden renewals in the rise of the Nile. Hence the abundance of fertilizing slime, which would not be found so copious in the waters of rivers, which owe their rise to the direct influence of the rains. These phenomena, simple in their origin, only astonish persons who have observed the effects without tracing the cause."‡ This description, in respect both to the *time* and the extent of these periodical inundations, is much too general for accuracy. The rainy season unquestionably depends upon the position of the sun, combin-

\* Halley's account of trade winds and monsoons.

† Bruce.

‡ Malte Brun.

ed with local causes. All those circumstances, by which the direction and temperature of the wind are modified, exert an influence over the periods of the rains.

The philosophic reader is aware, that the quantity of water, which can be sustained in a state of vapour, within a given space, increases with the increase of temperature; and hence when the atmosphere is charged with vapour, to the point of saturation, a reduction of temperature must produce a deposition of water in some of its forms; the rapidity of the precipitation depending on the degree of saturation, and the suddenness with which the temperature is reduced; and that the equilibrium of the electric fluid is disturbed by the evaporation or precipitation of water. Hence the most copious rains and terrible thunders, are to be expected when the atmosphere, heated by the action of a vertical sun, has passed over a body of water, and become highly charged with aqueous vapour, and then mingled with a colder air, and its temperature greatly and suddenly reduced. This effect is produced, when the air of the ocean and the plains is driven over the tops of mountains, and thus blended with the superior and colder strata. Hence it is that in most climates, mountains are supposed to *attract* clouds and rains, which they may more properly be said to *produce*.

#### ACCOUNT OF A SHOOTING EXCURSION IN THE ISLAND OF JAMAICA.

The excursion which we are about to exhibit, took place in what may be called the romantic scenery of Jamaica. It is well known that this island is intersected by a chain of lofty mountains, which traverse it from east to west. But these mountains, though striking on account of their height and the irregularity of their summits, afford no forests, wherewith to give variety to the eye, or shade or shelter to the wanderer. It is that large portion of the interior of the island, called St. Anne's, St. James's, and Trelawny, which is most diversified by wood. Here you have continued hills and valleys; here the rocks, though not so

high as those in the chain before mentioned, are abrupt and precipitous: here the interstices among the cliffs exhibit the most luxuriant vegetation. They are filled with close woods and deciduous plants, intermingled with a great variety of shrubs, vines, and briars. The hollows are nourished by the rich earth washed down from the rocks by the rain. It was amongst such fastnesses of the cliffs and woods, adjoining to such fertile soils in the valleys, that, about fourteen years ago, a dozen negroes, with a few women, all of whom had escaped from slavery, had concealed themselves. But, alas! this little band had not long seated themselves there, before their haunts were discovered. Shooting parties were sent out to destroy them. Three of them were killed, and their heads brought to and exposed at Falmouth. The rest directly changed their habitations, and found, in the back districts of Trelawny, a place similar to that which they had left.

We have heard it said, that while they were in their former haunts, they wandered about too freely; and that they were seen in communication with some of the negroes on the neighbouring estates, from which they persuaded one or two women to go and live with them. But if this was the case in their first settlement, it was not so in that which they now chose. They determined to change their policy, and to live together on the principle, that, *if they kept themselves at home, they could not be discovered*; or, in other words, *if they did not meddle with others, others could not meddle with them*. Feeling themselves secure under this notion, they went to work cheerfully, and built a town, consisting of a few houses. Here, it appears, they displayed much ingenuity and good workmanship. Under the same cheering notion of security, they formed schemes of extensive cultivation. Day after day they awakened the silence of the forests by their industry, till at length they had brought nearly two hundred acres of land into profitable bearing, and had afforded an example of good farming, their land being described as *thickly planted with provisions, and in the finest condition*. In this way they were going on, living

peaceably, industriously, and comfortably, when, after quiet possession for eleven years, it became known, that such a people was in existence in the back districts of Trelawny. This was enough. The alarm was sounded, and an excursion resolved upon, not to conciliate these poor people—not to give them the praise due to them for their industry and the simplicity of their lives, but to *take them as prisoners, or to kill or maim them, and to destroy their habitations, and to root them from the face of the earth.*

It appears, from several public papers of the day, that this excursion took place October 26, 1824. We learn also, that "several young men volunteered their services, and proceeded from Pembroke estate, accompanied by a number of armed confidential negroes, in search of runaways. The whole number engaged in the expedition, appears to have been about thirty. It appears that "the whole of the arrangements for the excursion, were made at least a week previous to setting out." Thus strong in point of number, and thus prepared, "the party reached the Provision Mountain belonging to Pembroke estate, distant about twelve miles to the southward, at eleven o'clock, in the morning. After resting there a short time, they pursued their route for the rendezvous of the runaways, supposed to be about six miles distant from the mountain, and had traversed nearly an hour over a mountainous and rocky way, when, in a narrow pass, through which they could only advance in single file, they were fired on from an ambush by the runaways, who had been apprized of the intended attack. Mr. Sutherland, the overseer of Pembroke estate, who had the command of, and was leading the party, was mortally wounded by the second shot, and fell. The remainder were panic struck and took to flight. Mr. Gallimore, a book-keeper of Bounty-hall estate, was wounded, and left behind upon the retreat of his companions. An armed negro, belonging to Good Hope Estate, was also wounded dangerously. The flight of the party put into the possession of the runaways, about fifteen stands of arms, and a quantity of ammunition." Thus ended this excursion, which had

been deliberately resolved upon, as has been already noticed, *by a few private individuals, consisting of overseers and book-keepers, a week before-hand, and undertaken without consulting the governor of the island, or the magistracy of the neighbourhood.*

We may easily imagine, that the news of such a disaster would quickly spread, and that steps would be instantly taken to retaliate. We find, accordingly, that on the very next day, a meeting of magistrates was held, and that these sent an express to captain Smith, of Accompong, (a Maroon town,) requiring the assistance of the Maroons, to dislodge this formidable horde. To carry their point more effectually, six companies of the Trelawny militia were mustered at Dromilly estate, out of which one hundred and twenty men were drafted, and put under the command of lieutenant colonel Scott. On the 31st, the men so drafted met the Maroons just mentioned, and took post together on Hampden Mountain; and on November 1st, they moved, at daylight, consisting altogether of 270 men, (in which baggage negroes and pioneers were included,) into the woods. About 4 o'clock, on the same evening, the party entered the little town belonging to the fugitives, when they were fired upon by them, but without effect. The fire was returned by the militia, when two of the runaways fell, and another was taken prisoner, and the remainder dispersed. The town contained fourteen houses, one of them 70 feet long, another 40, and few under 25. They were well built, shingled and floored. The name assigned to it by its possessors, was "*me no sen, you no come.*" The inhabitants appear to have been taken by surprise, as the women and children, eight of the former and four of the latter, had just left the town, before the arrival of the militia and Maroons, and their culinary utensils were on the fire, preparing their dinners. These provisions were immediately seized upon by the assailants. During the skirmish, a woman was observed by some of the party and fired at, but without the intended effect. The expedition was employed during the following day, in scouring the woods round the

town, in search of the fugitives, but without success, and on the next the militia returned, leaving the Maroons in possession of the town. There were, by estimation, from one to two hundred acres of land, thickly planted with provisions, in the finest condition, in the vicinity of the town. In this were included from thirty to forty acres of beautiful coffee, and a large field of canes. They were also possessed of an abundance of poultry and hogs.

Shortly after the return of the militia, one hundred and fifty negroes were sent to dig up and destroy the provisions, and raze the buildings, and thus reduce this flourishing settlement to a desert, previously to the departure of the Maroons.

This narrative furnishes an instance of a small company of negroes, just emerging from a state of slavery, adopting at once a course of regular and efficient industry, converting the forest into a fruitful field, and supplying themselves not only with the necessities, but the luxuries of life. It appears they had commenced a traffic with a few of their brethren in bonds, by means of which, the produce of their fields had served to replenish the markets of the neighbouring towns, in exchange for some of the luxuries which the ocean supplies. They appear, even from the accounts of their invaders, to have been quite inoffensive to their neighbours, and chargeable with no crime except that of withdrawing *themselves* from a state of servitude, and applying to their own comfortable support, amidst the wilds of the desert, a tract of unappropriated land. Upon what principle then, of moral right or political expediency, could their white neighbours have acted, in thus systematically applying their superior force in reducing their peaceful dwellings to utter desolation, and endeavouring totally to extirpate their race and name?

#### DOMESTIC SLAVE TRADE.

The following extracts from the proceedings of Congress during their late session, furnish a forcible appeal to the humanity of the people of the United States. They may very justly

inquire whether the officers of the general government ought to be made the instruments of a traffic, within our own borders, which in many of its features, bears a strong resemblance to that which Congress, in 1820, denounced as piratical.

Mr. Miner, of Pennsylvania, offered several resolutions, the object of which was, to inquire into the expediency of the gradual abolition of slavery in the District of Columbia; and submitted the following observations and facts:

"It was, in fact, the case, that owing to the painful excitement growing out of any motion on the subject of slavery here, it had been utterly neglected; gentlemen from neither section of the Union liked to take any step in relation to it; the consequence was, that there had been no melioration of the laws growing out of the system of slavery here, for the thirty years the District had been under the jurisdiction of the general government. In other States improvements had been made—their codes had been meliorated; here, from the cause alluded to, they had been entirely neglected, and all the corruptions growing out of that neglect, and the cupidity of those who looked only to their private interest, were severely felt. From a paper in his hand, which he stated to be official, Mr. Miner read an account of the persons imprisoned in the jail, as follows:

Runaway negroes committed to the jail of Washington county, District of Columbia, from the 1st day of December, 1823, to November 30, 1824, included,	52
For safe keeping by their masters, from Dec. 1st, 1823, to November 30th, 1824,	81
Runaway negroes committed from December 1st, 1824, to November 30, 1825,	58
For safe keeping by their masters, from December 1st, 1824, to Nov. 30, 1825,	124
Fifteen of the above that were committed as runaways, proved to be free, and one of them sold for his jail fees and other expenses.	

White and black criminals—the following number committed for offences, from December 1st, 1823, to November 30th, 1824, - 125 And about the same number for the year following.

[Signed by the Jailer.]

Of the eighty-one, and one hundred and twenty-four, in jail for safe keeping, he observed, that he understood they were placed there for sale—that the Federal prisons, and their keepers, were extensively used for the purpose of carrying on the Domestic Slave Trade. I presume that gentlemen have no proper idea of the situation of this matter; if they had, it would seem as if the sentiment must be general, that legislative interference is proper. Last winter I went through the cells of the prison, and I will mention an instance of its occupation, that was presented to me. There was a woman in a cell, with three children, one an infant, all for sale. I was afterwards informed that she was the wife of a free man, who had by her, nine children. As they grew to an age to be profitable in market, the children were sold; now the woman had arrived at a time of life to be no longer valuable as a breeder, she and her children were separated from her husband, and sent to your prison for sale—your officer who keeps it, being employed as the agent. Another instance was stated to him yesterday, in a way that seemed entitled to credit—that a free coloured man was taken up under the law, and imprisoned. Ignorant, poor, friendless, he found it difficult to prove his freedom, and lay in jail, in so miserable a situation, that his legs were so frozen, that, when liberated, he had to walk on his knees, being a cripple for life.

He mentioned those circumstances to show that evils existed, of a nature, and to an extent, which gentlemen were not probably apprised of, and which he was sure they would not approve. In addition to all this, Mr. Miner said, that there were places in the District, by some called Pens, where the slave dealers gather together gangs of slaves, and then fasten them by a long chain, running between the pairs, and to this they are handcuffed, right and left, and so driven

off, ten, twenty, and thirty in a drove. The number passing the Bridge in a year, was said to have amounted to hundreds. It was, in truth, the case, that, owing to the total neglect of this subject, by the only power having authority to remedy the evils, this had become the head-quarters of the Domestic Slave Trade.

#### NATIONAL GRATITUDE.

Great efforts are made in the Richmond papers to stimulate the Legislature of Virginia to follow the excellent example of South Carolina, in bestowing ten thousand dollars on the daughter of Mr. Jefferson. A writer in the Richmond Enquirer says—

“It is reduced to a moral certainty, that the lottery in consequence of Mr. Jefferson’s death, will not be drawn, and the consequence will be, that his dutiful child, and her family, will be reduced to great inconvenience, if not distress.

“I have been informed that his negroes, to the amount of one hundred and seventy, are to be sold; if they shall average \$200 each, will amount to only \$34,000; that his lands if sold, would not bring more than about \$40,000. Improvements are seldom considered by the purchaser. Total amount \$74,000.”

Mr. Jefferson was one of the best of masters towards his slaves. God grant that they may fall into hands as lenient and bountiful.—*Nat. Gaz.*

These negroes, it appears, are since sold; into what sort of hands they have fallen, I am not informed. Considering the acknowledged character of their late owner, it is obvious that common slavery must be to them, emphatically, a *bitter draught*, from its contrast with their former condition. It is devoutly to be wished, that a portion of national sympathy might extend to this part of the Jefferson family. Is not the national character involved in the question, whether the author of the Declaration of Independence shall be branded, by the enemies of our government,

with the imputation of having left one hundred and seventy human beings, to be sold, for the benefit of his descendants, or the extinction of his debts, into a state of hopeless and hereditary servitude? Would it not be a noble testimony of national gratitude, to redeem these slaves from their forlorn situation, and place them if possible, in a condition to understand and appreciate the doctrines which their late master proclaimed in the face of the world? If disembodied spirits ever revisit the scenes of their earthly pilgrimage, would not the spirit of Jefferson rejoice to discover that his surviving friends had done for him, what he would unquestionably have done himself, if his possessions had been free from incumbrance? One noble president has bequeathed liberty to his slaves, let those who follow in his wake, imitate, either in person or by proxy, the illustrious example.

A SHORT ACCOUNT OF PHILLIS WHEATLEY,—*From A. Mott.*

Although the state of Massachusetts never was so deeply involved in the African slave trade as most of the other states, yet before the war which separated the United States of America from Great Britain, and gave us the title of a free and independent nation, there were many of the poor Africans brought into their ports and sold for slaves.

In the year 1761, a little girl about 7 or 8 years old, was stolen from her parents in Africa, and being put on board a ship, was brought to Boston, where she was sold for a slave to John Wheatley, a respectable inhabitant of that town. Her master giving her the name of Phillis, and she assuming that of her master, she was of course called Phillis Wheatley.

Being of an active disposition, and very attentive and industrious, she soon learned the English language,

and in about sixteen months so perfectly, that she could read any of the most difficult parts of the Scriptures, to the great astonishment of those who heard her. And this she learned without any school instruction, except what was taught her in the family.

The art of writing she obtained by her own industry and curiosity, and in so short a time, that in the year 1765, when she was not more than twelve years of age, she was capable of writing letters to her friends on various subjects. She also wrote to several persons in high stations. In one of her communications to the Earl of Dartmouth, on the subject of *Freedom*, she has the following lines:

"Should you, my lord, while you peruse my song,  
Wonder from whence my love of *Freedom*  
sprung,  
Whence flow these wishes for the common good,  
By feeling hearts alone best understood—  
I, young in life, by seeming cruel fate,  
Was snatch'd from Afric's fancy'd happy seat:  
What pangs excruciating must molest,  
What sorrows labour in my parent's breast!  
Steel'd was that soul, and by no misery mov'd,  
That from a father seized the babe below'd,  
Such, such my case—and can I then but pray,  
Others may never feel tyrannic sway!"

In her leisure moments she often indulged herself in writing poetry, and a small volume of her composition was published in 1773, when she was about nineteen years of age, attested by the Governor of Massachusetts, and a number of the most respectable inhabitants of Boston, in the following language:

"We, whose names are under-written, do assure the world that the Poems specified in the following pages were, (as we verily believe,) written by Phillis, a young negro girl, who was but a few years since, brought an uncultivated barbarian from Africa; and has ever since been, and now is, under the disadvantage of serving as a slave in a family in this town. She has been examined by some of the best judges, and is thought qualified to write them."

Her master says, "Having a great inclination to learn the Latin language, she has made some progress in it."

\* Most of her poetical productions have a religious or moral cast: all breathe a soft and sentimental feeling. Twelve relate to the death of friends. Others on the works of Providence; on virtue, humanity, and freedom; with one to a



After the publication of the little volume mentioned, and about the 21st year of her age, she was liberated; but she continued in her master's family, where she was much respected for her good conduct. Many of the most respectable inhabitants of Boston and its vicinity, visiting at the house, were pleased with an opportunity of conversing with Phillis, and observing her modest deportment, and the cultivation of her mind.

When about 23, she was married to a person of her own colour, who having also obtained considerable learning, kept a grocery, and officiated as a lawyer, under the title of Doctor Peters, pleading the cause of his brethren the Africans, before the tribunals of the state.

The reputation he enjoyed, with his industry, procured him a fortune; but Phillis being much indulged, had not acquired sufficient knowledge of domestic concerns; and her friends continuing their particular attention to her, gave him uneasiness, which operating on a disposition that was not willing to have her more respected than himself—which first manifested itself by reproaches; which were followed by harsh treatment. The continuance thereof affecting her susceptible mind, and delicate constitution, she soon went into a decline, and died in 1780, about the 26th year of her age, much lamented by those who knew her worth. She had one child, which died very young; and her husband survived her only three years.

#### REPORT OF PROCEEDINGS RELATIVE TO THE SLAVE TRADE IN GUATEMALA.

"One of the first acts of the Constituent Assembly of Guatemala was the abolition of Slavery, which disgrace of civilized ages was annihilated by a decree of the 17th of April, 1824. Nevertheless the law settled a rate of indemnity for the owners of slaves. Senor del Valle, ever foremost in the paths of patriotism and humanity, was very urgent in recommending such a compensation, and his example was followed by the greater part of the

young painter of her own colour. On seeing his works, she vented her grief for the sorrows of her countrymen, in a pathetic strain.

proprietors. The number of slaves at that time in the Republic did not exceed 500. The epoch of that decree was observed by the Government as a season of festivity and jubilee; and the Legislative Power, rejoicing in the benefit done to humanity, declared in its message, that the decrees of the Assembly deserved to be registered on tablets of brass, in the hall of the Assembly, as one of its greatest ornaments.

"In process of time, the Constitution was promulgated by the National Assembly, and confirmed the abolition of Slavery by the 13th Article, worded as follows:—

"'Every man in the Republic is free; and no one who takes refuge under its laws can be a slave: nor shall any one be accounted a citizen who carries on the Slave Trade.'

"By means of this Article, the Republic was placed by the Constitution on a footing with the temples of the ancients, which served as an asylum to the unfortunate. In consequence, during last spring, one hundred slaves, belonging to the English settlers at Belize, fled from the colony, and sought refuge in the Republic. The superintendent of the establishment demanded the restitution of the fugitives. The Executive, in the message with which it forwarded the demand to the Legislative Power, gave its opinion in favour of the required restitution, influenced, no doubt, by an apprehension that the British Government would not tamely permit a refusal to be given, which would so materially tend to alarm its subjects, proprietors of slaves in the West Indies, where slavery is still tolerated. The public of Guatemala, on that account, were anxious to know the resolve of the Legislative power upon so delicate an affair. The 6th of June was fixed for the debate, and the hall of Congress was crowded to excess.

"Senor Alvarado, in addressing the Congress, said:—'This is the sacred ægis, under cover of which the slaves of Belize have taken refuge; and I call on you to recollect, that you have sworn to maintain it inviolate. Shall we break that oath so shortly after having pronounced it? What are commercial interests, when put in

competition with the paramount duty of preserving justice? They should weigh as a feather in the balance! England, it is true, protects the interests of her traders; but is she not bound still more, to prefer and protect the sanctity of oaths?"

"His speech was received with reiterated expressions of approbation. After him arose an opponent, who exerted himself to prove the propriety of the restitution; and, by quotations from ancient and modern history, to show that the principles of justice, which ought to regulate the conduct of individuals, cannot be always made applicable to a state.

"Many others followed on the same false side of the argument: but Senor Alvarado was not disheartened; and, returning to the charge, adduced fresh arguments in reply, declaring, in conclusion, that if the English Government should insist on recovering possession of the slaves by force, he would prefer to fall a victim to violence, rather than become an accomplice to injustice. These last words, pronounced loudly, and with impassioned emphasis, again drew down the plaudits of his hearers, whose hearts were, without exception, in unison with justice. However, notwithstanding the manly resistance of Senor Alvarado, the discussion was eventually decided by a majority in favour of the contrary opinion; and, in consequence, the Congress ordered the restitution of the slaves—a decision which fortunately was subject to the revision of the Senate. That second legislative Chamber, therefore, resumed the discussion, and pronounced an opposite decision, declaring the slaves to be free: but, at the same time, uniting the rights of liberty with the claims of property, it determined to award a compensation to the English owners of the slaves. The senators who most distinguished themselves in the discussion in favour of these slaves, were the Senors Barundia, Alvarado, Alcayagua, and Mendez."

AFRICAN MAGNANIMITY.

Abdulkader, king of Footá Torra, inflamed with zeal for propagating his religion, sent an embassy to Damel, king of the Jaloffs, requiring him to

embrace the Mahomedan faith. The ambassador was accompanied by two of the principal Bushreens, who carried each a large knife, fixed on the top of a long pole. As soon as he had procured admission into the presence of Damel, and announced the pleasure of his sovereign, he ordered the Bushreens to present the emblems of their mission. The two knives were accordingly laid before Damel, and the ambassador explained himself as follows: "With this knife, Abdulkader will condescend to shave the head of Damel, if Damel will embrace the Mahomedan faith; and with this other knife, Abdulkader will cut the throat of Damel, if Damel refuses to embrace it: take your choice." Damel coolly told the ambassador, that he had no choice to make; he neither chose to have his head shaved or his throat cut; and with this answer the ambassador was civilly dismissed.

Abdulkader took his measures accordingly, and with a powerful army invaded Damel's country. The inhabitants of the towns and villages filled up their wells, destroyed their provisions, carried off their effects, and abandoned their dwellings, as he approached. By this means he was led on from place to place, till he had advanced three days' journey into the country of the Jaloffs. He had, indeed, met with no opposition; but his army had suffered so much from the scarcity of water, that several of his men had died by the way. This induced him to direct his march towards a watering place in the woods, where his men, having quenched their thirst, and being overcome with fatigue, lay down carelessly to sleep among the bushes. In this situation they were attacked by Damel before day break, and completely routed. Many of them were trampled to death as they lay asleep, by the Jaloff horses; others were killed in attempting to make their escape; and a still greater number were taken prisoners. Among the latter was Abdulkader himself. This ambitious, or rather frantic prince, who, but a month before, had sent the threatening message to Damel, was now led into his presence as a miserable captive. The behaviour of Damel, on this occasion, is never

mentioned by the singing men but in terms of the highest approbation; and it was, indeed so extraordinary in an African prince, that the reader may find it difficult to give credit to the recital. When his royal prisoner was brought before him in irons, and thrown upon the ground, the magnanimous Damel, instead of putting his foot upon his neck, and stabbing him with his spear, according to custom in such cases, addressed him as follows: "Abdulkader, answer me this question: If the chance of war had placed me in your situation, and you in mine, how would you have treated me?" "I would have thrust my spear into your heart;" returned Abdulkader, with great firmness, "and I know that a similar fate awaits me." "Not so," said Damel, "my spear is, indeed, red with the blood of your subjects slain in battle, and I could now give it a deeper stain, by dipping it in your own; but this would not build up my towns; nor bring to life the thousands who fell in the woods. I will not, therefore, kill you in cold blood, but I will retain you as my slave, until I perceive that your presence in your own kingdom, will be no longer dangerous to your neighbours, and then I will consider of the proper way of disposing of you." Abdulkader was accordingly retained, and worked as a slave, for three months; at the end of which period, Damel listened to the solicitations of the inhabitants of Foota Torra, and restored to them their king.

*Park's Travels, chap. 25.*

### POETRY.

#### SELECTED FOR THE AFRICAN OBSERVER.

Why droops this heart, with fancied woes forlorn?  
Why sinks my soul, beneath each wintry sky?  
What pensive crowds, by ceaseless labours worn!  
What myriads wish to be as blest as I!

What though my roof devoid of pomp arise,  
Nor tempt the proud to quit his destined way;  
Nor costly art my flowery vales disguise,  
Where only simple friendship deigns to stray.

See the wild sons of Lapland's chill domain,  
'That scoop their couch beneath the drifted  
snows;

How void of hope they ken the frozen plain,  
Where the sharp east for ever, ever blows.

Slave though I be, to Delia's eyes a slave,  
My Delia's eyes endear the bands I wear;  
The sighs she causes well become the brave,  
The pang she causes 'tis even bliss to bear.

See the poor native quit the Lybian shores,  
Ah! not in love's delightful fetters bound;  
No radiant smile his dying peace restores,  
Nor love, nor fame, nor friendship heals his wound.

Let vacant bards proclaim their boasted woes;  
Shall I the mockery of grief display?  
No, let my muse his piercing pangs disclose,  
Who bleeds and weeps his sum of life away.

On the wild beach, in mournful guise, he stood,  
Ere the shrill boatwain gave the hated sign;  
He dropped a tear unseen into the flood,  
He stole one sweet moment to repine.

Yet the muse listened to the plaints he made,  
Such moving plaints as nature could inspire;  
To me the muse his tender plea conveyed;  
But smoothed, and suited to the sounding lyre.

Why am I ravished from my native strand?  
What savage race protects this impious gain?  
Shall foreign plagues infect this teeming land;  
And more than sea-born monsters plough the main?

Here the dire locusts' horrid swarms prevail;  
Here the blue asps with livid poison swell;  
Here the dry dysps writhes his sinuous mail;  
Can we not here secure from envy dwell?

When the grim lion urged his cruel chase,  
When the stern panther sought his midnight prey,  
What fate reserved me for this christian race?  
O race more polished, more severe than they!

Ye prowling wolves, pursue my latest cries;  
Thou hungry tiger, leave thy reeking den;  
Ye sandy wastes, in rapid eddies rise,  
O, tear me from the whips and scorns of men.

Yet in their face superior beauty\* glows,  
Are smiles the mean of rapine and of wrong?  
Yet from their lips, the voice of mercy flows,  
And, even religion dwells upon their tongue.

Of blissful haunts they tell, and brighter climes,  
Where gentle minds, conveyed by death, repair;  
But, stained with blood, are crimsoned o'er with crimes,  
Say shall they merit what they paint so fair?

No, careless, hopeless of those fertile plains,  
Rich by our toils, and by our sorrows gay,  
They ply our labours, and enhance our pains,  
And feign those distant regions to repay.

For them, the tusky elephant expires,  
For them, we drain the mine's embowelled gold;  
Where rove the brutal nation's wild desires?  
Our limbs are purchased, and our life is sold.

Yet shores there are, blest shores for us remain,  
And favoured isles, with golden fruitage crown-  
ed:  
Where tufted flowrets paint the verdant plain,  
And every breeze shall med'cine every wound.

There the stern tyrant, that embitters life,  
Shall, vainly suppliant, spread his aching hand;  
There shall we view the billows' raging strife  
Aid the kind breast and waft his boat to land.

SHENSTONE.

\* The author has here given his own opinion of beauty not those of the negroes; among the natives of the interior of Africa, a white skin is considered as a blemish, and even viewed with horror.

THE

# African Observer.

FIFTH MONTH, 1827.

## NEGRO SLAVERY.

(Continued from page 9.)

It has been frequently asserted by the advocates of slavery that a large part of the Africans are slaves in their own country, and that their transportation across the Atlantic, though they are still subjected to the servile yoke, is an important melioration of their state.

B. Edwards observes, when speaking of the slave trade, which he admits to be incapable of general defence, "A good mind may honestly derive some degree of consolation in considering that all such of the wretched victims as were slaves in Africa, are by being sold to the whites, removed to a situation infinitely more desirable, even in its worst state, than that of the best and most favoured slaves in their native country. It is, on all hands, admitted, that the condition of these poor people, under their own governments, is the most deplorable that we can conceive a human creature to be subject to. They have no security for property, nor protection for their persons; they exist at the will and caprice of a master, who is not amenable to any

law for his ill treatment of them, and who may slaughter them at his pleasure. He has in truth, very little interest in their preservation, having no means of employing them in profitable labour, and when provisions are scarce, he has even a strong inducement to destroy them."<sup>\*</sup>

For these sweeping declarations, no authorities are cited,<sup>†</sup> but from whatever source he derived his information, he must have been unhappy in his se-

<sup>\*</sup> Hist. W. Indies, vol. 2, p. 99.

<sup>†</sup> Unless the anonymous witness cited in a former part of the chapter, and the witnesses examined by the Privy Council, and the House of Commons, are to be considered as such. If they are, the conclusion is certainly much too broad for the premises. The *paraphrase* owes more of its fulness and generality to the genius of the writer, than to the facts established by the original. It may be proper here to remark, that the writer of these essays has no desire to impeach the veracity of the eminent historian, from whose work the above extract is taken. We have here an instance, not by any means a novel one, of the readiness, even of a powerful mind, to consider a conclusion, which corresponds with a favourite hypothesis, as fairly proved by testimony, which to an understanding, not similarly biased, would appear totally inadequate to its support.

lections, as a very different account of African slavery, in general, is given by numerous witnesses, to whom the learned historian could not object; several of them being the avowed supporters of the African slave trade, in defence of which, or at least to prevent its abolition, this history appears to have been written.

From the statements contained in the preceding essay, it is obvious, that the word *slave* is less definite in its meaning than is generally supposed. Indeed the situations of those to whom this term is applied, are so exceedingly various, that to speak of *slaves*, without indicating the age or nation in view, is about as precise as to speak, in the same indefinite manner, of pounds, shillings and pence.

From the narratives of those persons who have visited Africa, it appears there exist throughout a great part of that extensive continent, two descriptions of persons, very distinct from each other, included in the comprehensive appellation of slaves; the domestic and the vendible slaves; and so strongly marked is the distinction between them on the African coast, that the former are considered as being in a state of comparative freedom. To convert a domestic slave into a vendible one, by whatever process effected, is, in the language frequently used by travellers, to *reduce him to slavery*.

James Penny, Esq. who, during eighteen years, had traded on the African coast, and had resided two years in Africa, in his evidence before the Privy Council, says:—"Three fourths of the inhabitants are slaves—domestic slavery is very common in this country—their domestic slaves are never sold except for crimes. They are tried for their crimes, and the number of slaves

is so great, that the government would be afraid of committing any act of injustice for fear of a revolt. He did not know that there are any countries, either on the coast, or in the interior of Africa, where the slaves are bred for sale."

Governor Dalzell, who resided three years on the Gold coast, in his evidence before the same body, gives the following account: "The Gold coast is divided into a number of petty states, governed by their chiefs or Coboceers. These Coboceers have each their particular vassals, but have not such an absolute power over them, as to be able to dispose of them without the consent of their fellow vassals, or the pynims or elders of the town. The Coboceers have no power over the *lives or property* of their vassals, except in consequence of a trial before these pynims or elders."

Captain Matthews, a zealous supporter of the slave trade, speaking of the district in the neighbourhood of Sierra Leone, says:—"The slaves make three fourths of the inhabitants on that part of the coast;" and yet, as he says in another part of his testimony, "of the numbers taken from this country, only a small part are natives of the sea coast; some of whom are prisoners, made in the wars which the petty states have with each other; others are sold for various crimes." Again;—"If the domestic slaves are born in a man's possession, or have been in his possession a twelvemonth, they cannot be sold without the form of a trial." Whether the *form* of a trial is a mockery of justice, or fairly conducted, is a point on which the witnesses do not entirely agree.

Robert Norris, a slave captain, speaking of the slaves on the Gold coast,

says, "the distinction is this; a slave that has been purchased or acquired, may be disposed of at pleasure; but a slave born within their walls, cannot be sold at the will of his master, unless guilty of crimes." He afterwards stated that the sentence of a magistrate was required to authorise the punishment of selling.

Governor Barnes, who resided 13 years in Africa, in his evidence before the House of Commons, testifies that "house slaves are never sold except for crimes." Their trials are said to be openly conducted by the elders. In Senegal and Gambia, he says, "the slaves of black masters are very well fed, except in famines, with corn and fish. They are not worked for any regular time, nor constantly, and never under the whip."

J. B. Weuves, Esq. who resided fourteen years in Africa, states, in his account of the Fantees, before the House of Commons:—"Slaves are the greatest part of their wealth. There are born slaves and purchased slaves. The born slaves cannot be sold except for crimes. They are tried by judges of their own clan, i.e. slaves belonging to, and inherited by one man. The punishment is generally *slavery*. They are made slaves for theft, witchcraft, &c. For these crimes *free men* are also made slaves."

To understand how *slavery* can be adjudged as the punishment inflicted on slaves, or how those who are already in a state of slavery, can be made slaves for the same crimes as freemen, we must retain in memory the distinction already noticed. We also very naturally conclude that the domestic slave occupies a station but little removed from that of the freeman.

Nearly similar is the testimony of

Governor Fountaine,—"*Slaves* purchased by the natives, may be sold again at their pleasure; but such as have fallen to them by inheritance cannot be sold, but by the general consent of the other domestics, unless convicted of crimes." Again, "In such habits of familiarity do masters live with their slaves, that except for a very capital fault, they would not be subjected to punishment."

Captain Wilson, states, "The slaves employed by the Africans, live with their masters, and are so treated as to be scarcely distinguishable from them."

C. B. Wadstrom, companion of Dr. Spaarman, in his account of Africa, says, "Slaves are kept by the natives at Goree and Senegal, but scarcely any on the continent. They are very well treated and never sold, lest there should be an insurrection among their fellow slaves."

From his remark that *scarcely any slaves were kept on the continent*, contrasted with the testimony of others, that about three fourths are slaves, it appears probable that he could not distinguish between the slaves on the continent and the freemen.

J. Kiernan, who was about four years in Africa, says in his evidence, (H. of Commons,) "Persons of property there, have a great number of persons under the denomination of slaves, whom they treat as Europeans would people of their own family."

Z. Macaulay, formerly governor of Sierra Leone, in his evidence before the House of Lords, says—"I have very frequently made the attempt to ascertain the proportion which the slaves in that country bear to the freemen. I made it an object in every place that I happened to visit; but so much alike in their appearance, in their treatment,

and in the conduct observed towards them, are the domestic slaves in that country and the freemen, that I found it impracticable, unless I went to make individual investigations, to ascertain that proportion." And again; "I was never able to discriminate between the son and the domestic slave of any chief." Further, "Field labour is performed by free people, and by the domestic slaves, jointly and indiscriminately."

Mungo Park, in his account of the Mandingoes, says, "In the account of the natives, the reader must bear in mind that my observations apply chiefly to persons of free condition, who constitute, I suppose, not more than one fourth part of the inhabitants at large; the other three fourths are in a state of hopeless and hereditary slavery, and are employed in cultivating the land, in the care of cattle, and in servile offices of all kinds, much in the same manner as the slaves in the West India.\* I was told, however, that the Mandingo master can neither deprive his slave of life, nor sell him to a stranger, without calling a palaver on his conduct; or in other words, without bringing him to a public trial. But this degree of protection is extended only to the native or domestic slave. Captives taken in war, and those unfortunate victims, who are condemned to slavery for crimes or insolvency, and in short, all those unhappy people who are brought down from the interior countries for sale, have no security

\* As from other parts of the Narrative it is abundantly evident that the treatment of domestic slaves in Africa, differs essentially from that in the West Indies, no trace of the driving system appearing in Africa, it has been supposed, with great probability, that this illustration was supplied by B. Edwards, the editor, and not by the author.

whatever, but may be treated and disposed of as the owner thinks proper. It sometimes happens, indeed, when no ships are on the coast, that a humane and considerate master incorporates his purchased slaves among his domestics; and their offspring at least, if not the parents, become entitled to all the privileges of the native class."<sup>o</sup>—*Trav.* p. 46.

Again the same intelligent traveller, after describing the various employments of the natives, adds; "In all the laborious occupations above described, the master and his slave work together, without any distinction of superiority."—p. 322.

And further on he applies to the slaves in general, nearly the same remarks as had been previously made with respect to the Mandingoes. "The domestic slaves, or those born in a man's own house, are treated with more lenity than those that are purchased with money. The authority of the master over the domestic slave, as I have elsewhere observed, extends only to reasonable correction, for the master cannot sell his domestic, without having first brought him to a public trial before the chief men of the place." Here he subjoins in a note, "In time of famine, the master is permitted to sell one or more of his domestics, to purchase provisions for his family; and in case of the master's insolvency, the domestic slaves are sometimes seized upon by the creditors, and if the master cannot redeem them, they are liable to be sold for the payment of his debts. These are the only cases that I recollect, in which the domestic

<sup>o</sup> This African practice bears a striking analogy to the precept in the Jewish law, relative to the treatment of strangers and their children.—Ezekiel chap. 47, ver. 23, 24.

slaves are liable to be sold without any misconduct or demerit of their own." p. 324.

The difference between the domestic and the purchased slave, as well as the difference between the slavery of Africa, and the western world, is illustrated by the following anecdote, taken from the Privy Council report. "There is a man there, viz: at New Calabar, called Amachree, who has more influence and wealth than all the rest of the community, though he himself is a purchased slave brought from the Braspan country; he has offered the price of an hundred slaves for his freedom; but according to the laws of the country, he cannot obtain it; though his master, who is an obscure and poor individual, would gladly let him have it. It is contrary to a fundamental law of the country that a purchased slave should become free; and the priests, who are interpreters and guardians of the laws, are afraid, if it should be permitted in the case of this man, of establishing a dangerous precedent.

Communicated for the African Observer.

#### KIDNAPPING.

In the summer of 1825, a number of free coloured children were suddenly missed from the city of Philadelphia and its suburbs, some of whom at that time were believed to be drowned, and that others had absconded from the service of their parents, guardians or masters, and were strolling through the country, or had hired in the neighbouring cities, particularly several Chimney Sweeps, who were among the missing; this seemed probable, and reports in relation to some of them, gained currency with their friends, that they had been subsequently seen in New York, Albany, Lancaster, &c. The number, however, increased so

alarmingly, in the latter end of the summer, amounting to near twenty, and none of them having returned, the conclusion became general that some unusually successful and extensive plan of kidnapping, had been practised upon them; but notwithstanding the strict inquiries made by their friends, and the police of the city, the whole transaction remained a profound mystery. It was only discovered that several coloured children, had been carried through Sussex county, in the state of Delaware, in a manner that excited strong suspicion of foul play. The first information received in relation to them was by a letter directed to the Mayor of the city, by Messrs. John W. Hamilton and John Henderson, of Rocky Spring, Mississippi, dated 2d January, 1826, containing a narrative (which was published at the time in all our city newspapers,) of the kidnapping of Mary Fisher, Enos Tilghman, Alexander Manlove, Samuel Scomp, Joe Johnson a sweep boy, and Cornelius St. Clair. The latter boys though last missed were first heard of. A certain Ebenezer F. Johnson held them in possession, under a fictitious bill of sale, from Thomas Collins; they were offered for sale to Mr. Hamilton, whose suspicions being excited, he caused the whole party to be arrested; sustained a suit brought by Johnson, and succeeded in establishing the freedom of the above named, except St. Clair, who was sold at Tuscaloosa in Alabama, and of the sweep Joe who was literally whipped and beaten to death by Johnson, before he arrived at Rocky Spring. Through the benevolent and decisive conduct of Messrs. Hamilton and Henderson,\* the four first named were returned in safety to their friends. Sinclair has not returned; he fell into the iniquitous hands of a Shylock, who having been defeated in endeavouring to smuggle the boy out of the way,

\* Two silver pitchers of the value of 150 dollars each, are ready for presentation to those gentlemen, with the following inscription handsomely engraved upon them.

"In commemoration of the disinterested, spirited and benevolent exertions of [John Henderson on one, and J. W. Hamilton on the other,] of Mississippi, in rescuing from unlawful bondage, certain persons of colour, who had by force or fraud been taken from their homes in the states of Pennsylvania and Maryland, this piece of plate is respectfully presented by a number of citizens of Philadelphia. March, 1827."



most tenaciously insists upon the owner of *Frank* according to the bond, through the sale of the boy to freedom, has been proved before him in the most positive manner, he is still held in bondage. A gentleman of this city, has undertaken a journey of a thousand miles, to identify his person before a judicial tribunal in the interior of Alabama, and we now have a right to look for his speedy return.\* Johnson left Rocky Spring to procure proof, as he said, in Accomack County, Virginia, of his legal right to the children, but has not ventured to return. These sufferers, in their depositions, taken on their return to this city, (one of which we annex) all declare that in August 1825, they were seduced on board of a small sloop, at anchor in the Delaware below the Navy Yard, for the purpose of getting Peaches, Oranges, Water Melons, &c. that when taken on board they were instantly put in irons, and kept in the hold of the vessel for a week, until they landed not far from the house of Joe Johnson, that they were marched through swampy grounds, corn fields and brushwood, that they were kept in irons a considerable time in the houses of Joe Johnson, and of Jesse and Patty Cannon, then put on board of a vessel for a week or more, were again landed and marched many hundred miles, until they were at length stopped at Rocky Spring, as before mentioned.

The following editorial article, narratives, and correspondence, we have extracted from the article published at Natchez, and from Poulson's Daily Advertiser; altogether they furnish a commentary and detail of as great an outrage on the rights of humanity and the laws of the land, as we have ever been called upon to notice, and display in bold relief, the conduct of a gang of conspirators, unworthy of the name of men. Infinite distress has been produced by their most flagitious conduct, and death has been the consequence to at least one of the victims. There is too, an excessive harshness in the case, in the great difficulty of procu-

ring their return, after they have been successfully stolen away and sold; in consequence of a law which very generally prevails in the slave holding states of the inadmissibility of the testimony of free coloured persons, and in some instances the absolute requirement of the verbal evidence of white persons in open court to identify the kidnapped person, and even this in the lapse of a few years from the very nature of the case, becomes almost impossible. But few white persons can accurately describe the particular marks of a black child, who may have grown up even under their own roof; the children selected by kidnappers are very generally between the ages of 10 and 15 years, and if the felons can contrive to secret them for a year or two under a changed name, their persons and appearance, from hardship, sickness and sufferings, and sometimes from rapid growth, become so entirely altered, that their most intimate friends are puzzled to recognize them, added to which the great distance to which they are carried in the more remote southern and western states, the sometimes deadly effect of southern climate on a northern constitution, the great expense of a journey in going and coming, prevent the few white persons from doing so, who may be competent to give evidence. All these circumstances combine to increase the difficulty of which we have spoken.

We are well aware that few of the persons with whom these boys are eventually found, are in the slightest degree privy to the foul abduction or management which has placed them in their hands, they have been grossly imposed upon in the purchase—in most instances fictitious bills of sale are produced by the felon that has them in possession, to show his title to the property, the children themselves being previously and completely broken down, flogged, and intimidated, into any story that he may think necessary to forge for them.\* On their

\* Since the above was handed to the editor, a letter has been received from the person alluded to, informing that he has found the boy and succeeded in establishing his freedom. We may therefore now confidently anticipate their speedy return.

\* The editor has been credibly informed, that persons are frequently employed to visit the kidnapped boys, in their places of confinement, in the absence of their keepers, and draw from them, under the profession of friendship, a fair representation of the means by which they had been procured. This being done the poor chil-

transit they are not permitted to hold any conversation with white persons, except in the presence of their keepers, and every guard and caution is thrown around them in order to prevent the truth of their story from being known to the purchaser, until the wages of iniquity have been pocketed by the seller, and he has secured his retreat; and when the truth of the transaction is afterwards developed, it at once becomes a question between the interest and the conscience of the holder, who has given value for what he considered a legal property, and hence the tedious and protracted decisions, that so frequently attend cases of kidnapping.

There is a kind of noble feeling in the people of Mississippi in relation to this subject, if we may judge from the sample before us, that does them infinite credit; they denounce in the strongest terms of detestation, the illegal and infamous traffick which is the subject of our discussion. It is indeed exhilarating to the friends of humanity, to perceive, that even the chief magistrate of the commonwealth can condescend from his exalted situation to inquire into the misfortunes of a poor kidnapped boy, "and to stretch forth his hand to relieve those who are ready to perish." To all who thus do, a blessing is promised by him whose word is truth. It is our deliberate opinion, founded upon much observation and experience, that the difficulties which have occasionally arisen in opposition to the claimants of fugitives from labour, who having absconded from their masters' service, have harboured in this and other of the middle states, has in a great degree been the consequence of the repeated aggressions of this kind, and by unauthorized attempts of persons under claim of law; and we further believe on unquestionable authority, that many slaves who have been missed from the states of Maryland and Virginia particularly, and who are supposed to re-

children are whipped unmercifully for their veracity, and directed to tell a tale better suited to the views of the professed masters. This discipline is continued at intervals until they become so completely drilled, that a stranger, whether the professed owner is present or not, can scarcely obtain from them, by any means whatever, any other account than the false one which has been prepared for them.

side in the middle states, have never been within our borders to reside, but have, like our free born blacks for the last 12 years at least, been the subjects of a most cruel oppression, the victims of a gang of unprincipled kidnappers, who have so far almost with impunity set at defiance the laws of God and man. Many of their haunts are now known to the police of this city, and it would seem there has been a regular system of operations carried on, a chain of posts established from Pennsylvania to Louisiana. It gives us great pleasure to publish a letter on the subject, written by the late Richard Stockton, then attorney general of Mississippi, it breathes all that humanity and fine feeling for which he was so well known and so greatly beloved by his friends.

#### NARRATIVE OF SAMUEL SCOMP.

*City of Philadelphia, Commonwealth of Pennsylvania, ss. Mayor's Office, June 30, 1826.*

*Samuel Scomp*, deposeeth that he is about sixteen years of age; that he is the bound servant of David Hill of New Jersey, was to serve Mr. Hill until he was 25 years old, ran away from his said master and came to Philadelphia in the summer of the last year 1825, was at Market street wharf, in water melon and peach time; a small mulatto man named J. Smith, spoke to deponent to help him bring a load of water melons from the Navy Yard up to Market street wharf, for which Smith was to pay him a quarter dollar; they walked down town, below the Navy Yard and the Rope Walks, clear of all the houses, when a little boat came ashore from a small sloop at anchor near the middle of the river; Smith asked the white man in the boat if he had water melons to sell, said he had plenty; when they got on board, a white man by the name of Joseph Johnson, asked them to go into the cabin to take a drink; they did so, no persons but themselves were in the cabin; Joe Johnson came down in a few minutes, crossed deponent's hands and tied them with rope yarn, at the same time he tied Smith's hands in the same way, (this was about 8 o'clock in the morning.) Johnson said to deponent, that deponent's father and himself were slaves and had

run away from him in Maryland, that this was the first time he had seen him since; had a large Spanish knife, with which he threatened to cut his throat if he resisted or made a noise. John Smith sat still in the mean time, Joe Johnson then untied Smith and told him to be off, and not let him catch him there again; there was no peaches, or melons, or corn, or other cargo on board the sloop, she was ballasted with stone; saw Smith in the boat going ashore, a white man lifted the hatch of the sloop and put him below and came down and put a round horse lock on his legs; thinks this man's name was Collins, for he heard Joe Johnson as they went afterwards through a corn field call him by that name. When deponent was put into the hold of the sloop, he found Enos Tilghman and Alexander Manlove already there, Enos was in irons, Alexander was not; these boys told deponent they had been caught the night before, by the same John Smith. The same day a boy, who called himself *Joe Johnson*, a sweep, about 16 years old, was also brought on board by John Smith, and was also immediately put in leg irons. Cornelius Sinclair, (who was sold at Tuscaloosa,) was the last one brought on board the sloop by John Smith, about an hour after the boy *Joe Johnson*; he also had leg irons put on him; Collins came down, and said to them, Now boys, be still make no noise or I'll cut your throats. On the same night they got up the anchor and went down the river, and were on the water about a week, when they were landed, he don't know whether in Delaware or Maryland, about twenty miles from Joe Johnson's house, don't think the sloop was at sea on this occasion, they landed in a kind of pond about two hours after sun down, the irons were taken off their legs, and ropes tied round their necks, they were then marched through marshes, corn fields, and brushwood, until they were taken up by a carriage driven by Joe Johnson, and carried to his house; they were confined in a garret there in irons 24 hours, then carried to Jesse Cannon's on a Sunday night, by him (Cannon,) and by Ebenezer F. Johnson; this was the first time the boys ever saw Ebenezer, they were kept at

Jesse Cannon's about a week in irons in a garret. On a Saturday night they were put into a wagon with Mary Fisher, (and another woman who said she was a slave named Maria Neal.) Mary Fisher declared she was a free woman, had been kidnapped, and carried to Patty Cannon's; they rode about three miles in the wagon, which was drove by John Smith the mulatto; Ebenezer Johnson and his wife, were behind in a gig; they were put into a boat and rowed on board of a larger sloop than the one they were first in on the Delaware; they were put into the hold in irons and kept so, the vessel went to sea for about a week, when they again landed, he don't know where; he don't know either of the sloop's names, the last sloop was commanded by Robert Dunn, an old man who also cooked on board; Ebenezer Johnson and his wife and Jesse Cannon, were passengers on board, and helped to work the vessel. Deponent and fellow prisoners were then marched through Alabama, with the irons off in the day time, and put on always when they stopt; Cornelius Sinclair was parted from them, and said to be sold in Tuscaloosa, for 400 dollars, as he heard Ebenezer Johnson tell his wife; they had a one horse wagon with some provision and baggage, it was generally drove by the little boys Enos Tilghman and Alexander Manlove; the wagon was followed by Ebenezer and his wife in the gig; the older and bigger prisoners walked as he believes 600 miles, until they arrived at Rocky Spring; believes they walked 30 miles a day, without shoes; when they complained of sore feet and being unable to travel they were most cruelly flogged; that deponent has received more than fifty lashes at one time; that himself, Joe and Cornelius, were most frequently flogged; their feet became frosted in Alabama; that on one occasion this deponent attempted to escape while in the Choctaw nation, but was caught by an Indian, and returned to Ebenezer Johnson, who flogged him with a hand saw and with hickories in a most dreadful manner; (the back of this deponent and his head, were dreadfully scarred by the repeated beatings he had received, (the party of prisoners except Cornelius,

remained near a month and a half, near a small town called Ashville, within 16 miles of the Cherokee nation, low down in Alabama; Ebenezer Johnson owned a log house and some land there; they then proceeded to Rocky Spring; and when within 7 miles of Rocky Spring, Joe Johnson, one of the boys, died in the wagon in consequence of the frequent and cruel beatings he received from Ebenezer Johnson: deponent once heard Johnson's wife declare that it did her good to see him beat the boys; Joe was lame and frosted in the feet, was very weak, and for near three weeks fell frequently as he walked; the weather was very cold in Alabama; about one day before he died he was severely flogged with a cart whip, he died in the wagon; Mrs. Johnson was in the wagon when he died; Ebenezer had previously sold his horse and gig and one horse wagon, and traded for a four horse wagon; they were all except the slave woman, taken from Ebenezer Johnson by Mr. John W. Hamilton, a planter, about seven miles east of Rocky Spring, who kept them and provided well for them, and took care of them for four or five months, until he took them to Natchez, put them on board of a steam boat and sent them to Benjamin Morgan at New Orleans, who procured them a passage to this port, where they arrived on the 29th inst. Mary Fisher, the woman, declined coming by sea, and preferred remaining with Mr. Hamilton, where she enjoyed the rights of a free woman; and further deponent sayeth not.

his  
SAMUEL X SCOTT.  
mark.

Witness present, }  
ADAM TRAQUAIR. }

Sworn and subscribed before me,  
the day and year aforesaid,  
JOSEPH WATSON, Mayor.

*Natchez, May 26th, 1826.*

The Honourable JOSEPH WATSON.

DEAR SIR.—I have been requested by Mr. John W. Hamilton, of this state, to inform you he would send the negroes which have been the subject of

correspondence between you, forthwith to New Orleans, and that you may expect them shortly. He has no doubt from the documents transmitted, but that they have been basely kidnapped, and are really entitled to their freedom. He is, however, under obligations to have them returned, if their freedom is not established by the first day of January next, and may by possibility be subject to serious inconvenience, and labours under considerable anxiety. The necessity you suggest of having their testimony, to ensure a conviction of the wretches who have thus torn them from their friends, has induced me to advise him to send them and risk the consequences. If the felons should be convicted, you will oblige a most worthy man by forwarding to him the record, properly and legally authenticated. He has been already at great trouble and expense, and a suit to recover them from him, would be at once burthensome and perplexing.

It is a subject of deep regret to me that proper measures were not taken to ascertain the cause of the death of one of the unfortunate youths, at the time the rest were stopped. There is no doubt upon my mind, but that he was cruelly and barbarously murdered. The situation of Sam and Enos, too clearly proves the treatment they had received, and if their testimony can be relied upon, the cause of the other's death is apparent. Mary Fisher is entirely unwilling to go by sea, but prefers remaining until an opportunity may occur to send her by land. She is treated as a free woman, and will be held subject to your orders. I would suggest the propriety of sending on the evidences of her freedom, if you should deem it advisable to give directions for her return. She is still in the possession of Mr. Hamilton, who is a man every way worthy of confidence, and who will be guided entirely by your decision as to her future destination. The state of Mississippi, is a slave holding state, but be assured, Sir, there is no community that holds in greater abhorrence, the infamous traffic carried on by negro stealers, and none that by public sentiment and by legislative enactment, give greater facilities, for those unjustly de-

tained, to, obtain their emancipation. A simple petition will put the parties upon trial before any of our Circuit Courts, no person can evade the obligations of the law, and the legal guards against oppression are ample and encouraging. There has not been a solitary instance, among the numerous applications annually made, when time has not been allowed to procure testimony, even from the most distant parts. Public feeling is uniformly enlisted in favour of the petitioning slave, the bar are ever ready to tender their professional services, and the provisions of our humane statutes are enforced, and generally at the expense of our own fellow citizens, who are innocent purchasers. For myself I can say, that in my private situation, and as attorney general of the state of Mississippi, no trouble will be considered too great, and no exertions shall be spared, to bring to a punishment, which under our law is capital, those infamous miscreants who thus deal in human suffering; and believe me, Sir, in pursuing the dictates of my own feelings, I am but acting in conformity with the general sentiment of the citizens of the state. With the most respectful consideration, I remain your obedient servant,

RICHARD STOCKTON.

*Natchez, March 2, 1827.*

We can scarcely conceive of any crime more repugnant to the feelings of humanity, than that of kidnapping, none which should be more positively denounced by a civilized people, none which should be more promptly acted against, in order to bring the offenders to justice, and restore the captives to their homes and their families. We are induced to make these remarks, by reading in the American Daily Advertiser, the following account of a number of free persons of colour, who were stolen and brought on by force from the respective places of their birth or of their homes, and sold as slaves in this state, and other southern sections of the Union. Shortly after reading the account, we applied to Duncan S. Walker, Esq. of this city, for such further information on the subject as he might be in possession of, and the editor feels not only indebted

to him for his politeness on the occasion, but as a citizen of this state, for his benevolent and persevering endeavours to bring the criminals to justice, to liberate the captives and restore them to their families and their friends.

In laying the circumstances connected with the stealing of the negroes before the public, we cannot forbear to express our belief, that there is not any portion of the American people, who view with more horror, transactions of this kind, than those of the state of Mississippi; none we are certain that would more readily step forth to aid the constituted authorities in bringing the offenders to justice, and to assist in doing every thing that was proper to release the victims of their rapacity from bondage; for the manner of making them slaves and dragging them from their homes and their connexions, is an outrage against the laws of God and man.

During the last session of the legislature, we endeavoured by a variety of arguments, founded on the policy which we thought was necessary, from the situation of this state, to pursue, to pass a law prohibiting the introduction of slaves into this state, and we were in hopes, from the self-evident necessity of such a measure, no difficulties would have been interposed to prevent the passage of the act; we are however gratified to learn that the opposition to it was of a very feeble character, and that no apprehensions are to be entertained as to the passage of such a law at the next session. The transactions which have led us at this time to refer to our former remarks, will we hope, convince every citizen, of the state, of the necessity of prohibiting the introduction of slaves within its limits, excepting the application of it to our positive and settled citizens, or those who are about to become such. It is true we have a law prohibiting certain descriptions of slaves from being brought into the state, but it is very inefficient and difficult of execution. At the last session of the criminal court of this county, an attempt was made to carry the law into operation. Several individuals implicated in the violation of it, were presented by the grand jury, and bills found against them, and though the defen-

dants were ably defended by their counsel, R. H. Adams and W. B. Griffith, Esquires, before Judge Winchester, on a motion to quash the presentment, yet the strength of argument and the eloquence of the counsels for the state, Robert Walker and George Adams, Esquires, would undoubtedly have prevailed, but for the defect which was evident in the presentment. As our fellow citizens have deemed the subject worthy of great consideration, and as it is rendered more particularly so in consequence of the number of free negroes forcibly brought into this state for sale, we avail ourselves of Mr. Walker's permission to publish such documents connected with the affair alluded to, as have not yet been made known and with which he has furnished us.

Independently of every humane consideration of the subject, it is proper to observe that the dangers to be apprehended from the kidnapping of negroes into this state is of a very serious character. Good slaves may be stolen or seduced from good masters; husbands, wives and children may be separated from each other, it is true, by the cunning and management of the kidnapper, and many heart-rending scenes may occur, the recital of which would create a sympathy in the bosom of every human being. But to the people of a slave holding state, the evils to be apprehended from the introduction of such negroes are of no ordinary character; the bad as well as the good, the bond as well as the free, are alike liable to be seized by the kidnapper and brought into the state, and however much we might be disposed to liberate a free negro from the irons of the wretch who stole him, yet for the most part free negroes are the worst description of people that could even willingly be brought among us.

Policy, therefore, as well as humanity, requires that our citizens take every measure in their power to assist in restoring these unfortunate beings to their homes and their families; most certain we are, whatever some few of our Atlantic brethren may think to the contrary, that scarcely any established citizen of the state could be found, who would be willing to hold in bondage, a fellow being, who of right

ought to be free, and such as are known to have done so are not esteemed in our society.

*Natchez, December 23, 1826.*

DEAR SIR.—The enclosed statement of a most cruel and complicated piece of villany, was accidentally discovered by the servant of Mr. Holmes, (late Governor of this State,) and afterwards taken down by D. S. Walker, Esq. a gentleman of the bar, whose professional services we have thought advisable to engage, and whose note we herewith send you.

Public justice requires that prompt measures be taken, to release these unfortunate persons, and if possible to punish the aggressors. Aware of the benevolent feelings of the Philadelphians, and the readiness with which the public authorities would be exerted in the cause of humanity, we have not hesitated to institute an inquiry for their relief. Some creditable person or persons, will have to be sent out for the purpose of identifying these people, and to prove their condition. The residence of many of these persons is unknown to us, but it is believed they may be all found upon search.

Since this statement was made out, the woman, Lydia Smith, has been brought to this city, and sold as a slave, measures are now taking to have her secured against further removal. We are, respectfully, your obedient servants,

DAVID HOLMES,  
J. E. DAVIS.

*The Hon. Joseph Watson, Mayor of the City of Philadelphia.*

#### THE NARRATIVE,

Of *Peter Hook*, a black boy, now in the possession of Mr. Perryman, of Holmesville, Pike county, Mississippi, says, that he is free. That he was born in Philadelphia. He seems, from his statement, to have been kidnapped June, 1825. That he was induced one evening by a black man whom they called John, to go down to a schooner near Arch street wharf to get a dram. That a white man, whom they called Joe Johnson, took him down, tied his hands across and chained him to the pump. Two boys, *William Miller*,

(black,) and *Milton Trusty*, (mulatto,) a sweep, were brought down the same night and chained along side of Peter. Next evening two black boys, *Clement Cox* and *William Chase*, were brought down and chained with the rest. Peter says they were three days and nights before they sailed. That they sailed out of the capes and saw the light house. That in about a day's sail afterwards, they landed, and he and the four other boys were chained together in a small oyster house for three days. The five boys were then taken by night in a carryall and gig, passed Lewistown about day light, and stopped at Joe Johnson's house, a tavern, on the road six miles from Lewistown, saw Abraham F. Johnson, Joe's brother, and his wife there, where all five were chained to a staple in the floor of the garret. Soon after, a black boy, *John Jacobs*, a cart driver, from Philadelphia, was brought there.—About three or four days after the 4th of July, a black boy, *James Bayard*, (a sweep,) a mulatto, *Benjamin Baxter*, who lived in Philadelphia, and *little Jack*, a small black boy, (a sweep,) were brought together to the garret, and soon after, *Ephraim Lawrence*, a black boy, and *little John*, a mulatto, were brought to the garret, and then a black, *Henry*, a young man grown, was brought there. The 12 were all chained to the same staple.

Two girls were brought there some time before this, (*Lydia Smith* and *Sally*), both black. These girls were chained in a different part of the same garret. Peter never knew Henry before, but Henry said he was kidnapped by Johnson, on the road, as he was going to see his mother. Peter thinks they were kept in this garret about six months.

One night, twelve boys and two girls were taken down, walked 6 or 7 miles, and were put on board a ship by Joe Johnson, and set sail. In about six days after, they were landed, don't know where, heard them talking about the Chesapeake bay, and that they were near Baltimore. We then travelled by land for one month, until we came to Rockingham. Joe Johnson with them. He chained the large boys two and two, but not the small ones. They travelled generally on bye

roads. Were not permitted to talk to any one they met, always encamped out. Were severely whipped by Johnson, for saying we were free, though he never whipped me. Little John and himself were taken to a Mr. Owen's 13 miles from Rockingham, and staid there a month. Then Johnson sold them all to a Mr. Miller and Josiah Sutler near Rockingham. *Staten* and *Constant*, two black men, who said they were taken from Philadelphia, joined them. The whole sixteen, all unchained, then started, under Miller and Sutler, and after travelling some time, stopped at a Mr. Low's, 6 miles from Clinton, about two weeks; where a Mr. Walker came to see, and brought ten boys, and kept us a week or two, when he found out that we were free, and refused to keep us. Sutler sent Tom Low for us, and he, (Sutler and Miller met us on the road) with others, in all the 16 free, and 4 slaves, Lawdy, Fanny, Maria and Martha. They brought us all to this country, but Staten and Constant, who were sold on the way. Mr. Miller got sick on the road, and returned. Sutler sold four, Clem, Ephraim, Henry and Lydia, in Mississippi; Lydia, in Monticello, and the other three, twelve miles across the river, with one of the slaves, (Maria.) The rest were taken to Holmesville, and four of us, William Miller, John Jacobs, James Bayard and myself, were sold to Mr. Perryman, for \$450 a piece, last winter. The other six free ones were taken on by Sutler.

#### 500 DOLLARS REWARD.

##### PROCLAMATION.

*Mayor's Office, Feb. 9, 1827.*

Whereas, information has been received, that in the year 1825, a number of free persons of colour, principally children, inhabitants of the city and county of Philadelphia, were forcibly seized by persons then unknown, and carried into slavery; and whereas public justice and the dignity of this city demand, that so signal an outrage on the rights of the inhabitants thereof, should not remain unpunished. Now, in pursuance of authority vested in me, by the Select and Common Coun-

cils, I Joseph Watson, Mayor of said city, do hereby offer a reward of Five Hundred Dollars for the apprehension and prosecution to conviction of any person concerned in the forcible abduction of the free coloured persons from the city of Philadelphia, as above stated.

JOSEPH WATSON, *Mayor.*

MAYOR'S OFFICE,  
*Philadelphia, January 20, 1827.*

GENTLEMEN.—I yesterday had the honour to receive your letter of the 23d December last. I beg you to accept my thanks for the important information I have derived from your letter and its enclosures. Your good offices and humane interpositions in favor of the poor kidnapped blacks, that were most inhumanly stolen away from this city and its suburbs, in the month of May, June and July, 1825, call forth the deep and humble thanks of their afflicted parents and friends, and will be duly appreciated by all benevolent and well disposed citizens. I shall immediately communicate with Duncan S. Walker, Esq. as you desire, in relation to this matter, with a determination, (so far as I am able,) to develop the mazes of this infernal plot, by means of which, a great number of free born children, during several years past, have been seduced away and kidnapped, principally, and almost wholly as I believe, by a gang of desperadoes, whose haunts and head quarters are now known to have been, on the dividing line between the states of Delaware and Maryland, low down on the peninsula, between the Delaware and Chesapeake bays. The local situation of the country afforded them great facilities in carrying on this most iniquitous traffic, the bond and the free, have been equally subjects of their rapacity; numbers of slaves have been stolen from Maryland and Virginia, and carried to the southern and more western states for sale.

Messrs. Hamilton and Henderson, of Rocky Spring, in your state, about a year ago, arrested a gang of kidnapped children and blacks, who were stolen from this city and Delaware, in August, 1825; they were fortunately

stopped before they were sold by the agent who had them in possession, and by the noble conduct of the gentlemen before mentioned, were forwarded to this city, and safely returned to their friends, except one who was cruelly murdered near Rocky Spring, (whipped and beaten to death,) as the survivors declare, by a certain Ebenezer F. Johnson, the brother of Joe Johnson, spoken of by the boy Peter Hook. R. Stockton, Esq. the attorney general of your state, is, I think fully possessed of the details of the horrid doings of this case of robbery.

The warrants of Governor Shulze for their reclamation as fugitives from the justice of this state, have been forwarded to Delaware, Maryland, Virginia, Alabama, and Mississippi, nor have I a doubt that both the outrages to which I have alluded, have been perpetrated by the same gang. We have as yet not succeeded in the arrest of any of them, though frequent efforts have been made for the purpose.

They have been driven from their quarters in Delaware and Maryland, and most of them are believed to have gone into the interior of —; before the receipt of your letter, I was induced in consequence of a private intimation to forward a deposition to Mr. Stockton, in the case of Peter, which I have no doubt will act as a detainer. I have already a number of depositions, as respects Clem Cox and Baxter,—that Peter's story is substantially correct, I have no doubt.

With great respect, I am your obedient servant,

JOSEPH WATSON, *Mayor.*

*To David Holmes, and J. E. Davis, Esquires, Natchez.*

TO DUNCAN S. WALKER.

MAYOR'S OFFICE,  
*Philadelphia, January 24, 1827.*

DEAR SIR.—I had the pleasure to receive a letter dated, Natchez, 26th December last, from the Hon. David Holmes, and J. E. Davis, Esq. with an enclosure from you containing the narrative of Peter Hook. This narrative



of Hook, I have no doubt is substantially true, and unfolds a scene of iniquity and outrage unexampled within our borders, and deeply injurious to the peace and dignity of our city. Great individual distress and affliction have been produced by these repeated aggressions, and the public feeling is highly aroused and excited in consequence thereof—Messrs. Holmes and Davis refer me to you, for further communications, and legal assistance, in order to procure the restoration of these unfortunate blacks, to their friends and homes. I therefore, at the commencement of our correspondence, pray you to leave *no stone unturned*, no legal or humane effort unessayed, to speedily accomplish this purpose—I shall forward you as I procure it, and I hope before long, a body of documentary evidence, that I trust will at least elucidate the history of this foul transaction, and identify the persons and the loss of most of the children—the great difficulty is to procure even the written evidence of white people, to establish the identity of black children, more particularly, if they have been out of sight for a year or two. I have already found white persons who can identify Peter Hook, Clement Cox and Benjamin Baxter. Before I received the letter of Messrs. Holmes and Davis, I had received information of Hook being at Natchez, and immediately forwarded the description of his parents, Peter and Eliza Hook, and the depositions of Hartman Kuhn, and Judge Hemphill; I enclosed these documents to Mr. Stockton, your attorney general, to whose zeal and politeness on former occasions, I am greatly indebted; I beg leave to refer you to Mr. Stockton, and who will, also, be able to give you full information as to the character of the conspirators engaged in the transaction to which I have alluded. I presume Mr. Stockton has seen the correspondence between Messrs. Hamilton and Henderson, (of Rocky Spring) and myself; these gentlemen, however, if he has it not, will, I know, most willingly, exhibit it to you.

I have acknowledged the receipt of the letter of Messrs. Holmes and Davis, which they will, I presume, exhibit to you—although I have at present, no funds in my possession, to re-

munerate you for your services in this good work, I will guarantee to you the compensation promised by Messrs. Holmes and Davis, in their letter of the 23d of December last. Will it be absolutely necessary that white persons should go on to your place, in order to identify these coloured people? might not depositions be taken under the act of congress, or in some way that would be availing before your tribunal? otherwise it operates as a monstrous oppression on these poor blacks, most of whom have very little to spare, and the charitable and humane here, as elsewhere, you know, are taxed up to the eyes, for a hundred matters, in which their feelings are continually interested. I hope to hear from you frequently. I shall not easily forget the subject myself, as the parents and relatives of the sufferers, will be continually inquiring after them. Once more I recommend this work to your unremitting exertions, and remain your obedient servant,

JOSEPH WATSON, *Mayor*.

*Natchez, Feb. 25, 1827.*

Dear Sir,—I have the pleasure of acknowledging yours of the 24th ult. received yesterday.

That the citizens of Philadelphia would feel aggrieved at this outrage, and that her active and intelligent police would use every means of redress, was expected. *Here*, if humanity could sleep, our own safety would prompt to action. There will be no want of either proper feeling or exertion among our citizens on this subject.

When my respected friends, Gov. Holmes and Mr. Davis, mentioned this subject to me as one requiring professional aid, I offered my services, but without requiring or intending to receive a fee. Your letter contained the first intimation I had received of such an offer, which I would have declined accepting from them, and as I do from you. I cannot agree in such a case, to receive any pecuniary compensation from any quarter.

It was thought advisable not to give publicity to this subject, until the necessary steps were taken, to ascertain the residence of all these kidnapped

blacks, and to prevent their further removal. This, as far as practicable, has been done. Our laws require these suits to be instituted in the Counties where the persons claiming the negroes reside, and the jurisdiction of the United States' Court in such cases, was at least doubtful. Five suits have been brought for eight of them—one in Pike County, for Peter Hook, William Miller, John Jacobs, and James Bayard—three suits in Lawrence County, for Clem, Ephraim and Henry—and one in Adams County, for Lydia.—My brother and partner, Robert J. Walker, is now at the Supreme Court, at Monticello, and will make all possible inquiry into the situation of the remaining six, not yet accurately ascertained, although an inquiry was instantly set on foot. Milton Trusty and William Chase, are believed to be in Wayne County. Every man, woman and child, of these unfortunates in our State, must be hunted out, and as at present advised, we expect to account for twelve of them. Staten and Constant were sold to one Wood, near Milledgeville, Georgia; so says Lydia, who adds another to this dark catalogue of crime, *Hannah*, a small yellow woman, stolen from Philadelphia.

These poor creatures have been so scattered over our sparsely peopled County, that we have been obliged to ask the aid of some of the members of the bar who practice in those Circuits, which neither my brother or self attend, and which has been very promptly afforded by R. M. Gaines and William Case, Esqs. The documents forwarded to the late Richard Stockton, I have not yet been able to see, in the absence of his Administrator. In his death, the cause of humanity has lost an able advocate.

I can appreciate the difficulty you anticipate, of identifying black children, by the evidence of white persons. But however onerous it may be on all hands, we must do our duty. Written evidence, of course, is admissible; but it cannot be taken under the act of Congress. Interrogatories must be filed, and copies served on defendants, with 15 days' notice, before commission can issue. This will be done as soon as possible; but not in time for trial at the Spring Term in

March and April. If, however, you will send on satisfactory testimony in any of the cases, I do not despair of inducing the defendants to waive formal exceptions.

I enclose Lydia's statement. In her case, commissions, &c. will be waived, *if the testimony is taken under the act of Congress*. Testimony will be required from Delaware or Maryland, as well as from Philadelphia, in her case. I know you "will leave no stone unturned," to procure the necessary testimony, and we will leave no bayou unsearched for the restoration of the captives to their homes. Our soil affords no stone for building Penitentiaries, but our forests supply gallows for the kidnapper; and while our laws protect slave property, they will restore the free. The defendants, in these cases, have been imposed on, and trials must be had to enable them to regain their money.

We need no stimulus to exertion in this cause; public opinion is with us. The Philadelphians may rely on the hearty co-operation of our citizens in the pursuit and punishment of these audacious and infamous aggressors on all laws, human and divine. Forward the testimony, stating it to be "taken on the petition of —, for his or their discharge from illegal confinement," and I hope to render a favourable account of these kidnapped blacks.

Very respectfully,

Your obedient servant,

D. S. WALKER.

Hon. Joseph Watson.

*Narrative of Lydia Smith.*—Says she was born in Delaware, eighteen miles from Bridgeville; she first belonged to Clement Ross, and afterwards to Governor Collins as his executor; that she was entitled to freedom at 21, now 23 years of age; that she lived for some time with Gary Hitch, who married Ross's daughter; that Hitch, after his wife's death, being suspected of a disposition to sell her as a slave, she was taken to one Aaron Wright's, in Maryland, three miles from Norrisfork-hedge, and sent thence to Philadelphia, by the Abolition Society; that she lived there five years, at Mansfield's Tavern, at Edward Par-

ker's in Zane street, at Britton Cooper's, whose store was on Market street wharf, and with Mason, the oyster seller, (mentioned by Peter Hook,) that she was known in Philadelphia by the name of Eliza Parker; that she returned to Milford and thence to Bridgeville; that her father bought her time from Hitch for 65 dollars, and sold her for three years to Levin Stewart, Sheriff, three miles from Georgetown, (Delaware or Maryland;) Stewart sold her to Bill Spicer, who took her to Milton, and thence to Salisbury; Spicer attempted to sell her as a slave; was sent for it, to Snow-Hill jail, while she was kept at preacher James Herron's for six months, till declared free; she then returned. Spicer got out of jail, caught her going from Milton to Georgetown; took her forcibly to his brother Theodore's, thence to James Walker's, one mile from Milton, thence to Patty Cannon's, thence to Joe Johnson's, on the line between Delaware and Maryland; there Spicer sold her to Edward Johnson for 110 dollars; thence to Johnson's sister, the wife of young Jess Cannon, where she was chained for 5 months, about one mile from Chryster's ferry, and not five miles from her birth place; there she found Ephraim Lawrence, John Jacobs, (formerly of Harrisburg, Pa.) and little John; thence she was taken back to Joe Johnson's, where she met those named in Peter's narrative; Henry Carr, a black man, of Lombard street, Philadelphia, kidnapped Ephraim, and brought him to Johnson's. After sailing, she cannot tell where, they landed, and were taken to Petersburg, Va. and thence to Rockingham Court House, North Carolina. Robert Martin, and John James Miller, Josias Butler, and Tom Low, all belong to the gang, and live near Rockingham; so does James Jones, who lives near Johnson's in Delaware. She says Robert Martin is a Post Master! agrees with Peter in the account of their travels; recollects one little yellow woman, about 18 years old, Hannah, stolen from Philadelphia, and a slave, Aaron, stolen from his mistress, Widow Orner, who keeps a boarding house in Baltimore; these two not named by Peter; says that Dr. Carey,

near Georgetown, Delaware, will recollect her well.

#### SOME ACCOUNT OF THE PERIODICAL WINDS AND RAINS OF THE TORRID ZONE.

(Continued from page 25.)

If the tropical rains were always synchronous with the vertical position of the sun, they would necessarily extend from one tropic to the other, and in the interior of the torrid zone, the year would be marked by two rainy seasons instead of one. This, however, is not consistent with facts. As the winds are *generally* directed towards those parts of the globe, where the greatest heat prevails, it is obvious their course, in any particular latitude, within the tropics, must vary with the varying declination of the sun. To the enormous masses of aqueous vapour, which are driven by the monsoons, across the mountainous tracts, with which the equatorial regions of Africa are girdled, we must attribute the regular returns and astonishing abundance of the tropical rains in that quarter of the globe. The position and the elevation of the land, causing great varieties in the periods and strength of the monsoons, as well as the temperature of the atmosphere, must produce numerous phenomena in the periodical rains, which cannot be clearly explained without a careful examination of the various local causes concerned. On this subject much remains to exercise the industry of philosophic observers.

In Borneo, the largest island of the East Indies, the rainy season continues from September to April, with the western monsoon, during which time there are scarcely two successive hours of fair weather. These rains, like all the rest of this class, are usually accompanied by the most appalling thunder and lightning. The dry season extends through the other half of the year, though on some parts of the coast the sea breeze is generally productive of a shower. Upon the coast of Siam the rains begin in April, soon after the commencement of the southern monsoon, and continue, with various degrees of violence, until Oc-

tober, when the dry season returns with the opposite monsoon.\*

In Abyssinia, the rainy season begins about the first of May, and continues till the beginning of September.† According to the opinion of Bruce, the tropical rains extend over a zone of the African continent, including sixteen degrees on each side of the equator.‡ This determination was probably, in part at least, conjectural; the northern limit, however, agrees very nearly with the recent observations of Denham and Clapperton. The periodical rains in Dar-Fur, are stated by Brown, as continuing from June to September, which nearly agrees with the experience of Mungo Park, in his last and fatal visit to the Gambia and Niger.

At Kouka, in Bornou, the rainy season continued in 1823, from the beginning of August to the former part of October.§ In the vicinity of the Red Sea, the mountains of Taranta, form the boundary between the opposite seasons. On the eastern side, towards the Red Sea, the rainy season continues from October to April; but on the western or Abyssinian side, the rains are prevalent from May to October.|| These changes correspond to the periods of the monsoons in the contiguous seas. The north-eastern monsoon brings on the rains, which fall on the east of the mountains; while the winds from the south west deposit their vapours among the elevated lands of Abyssinia and along the western side of the Tarantan mountains.

In some parts of the West Indies two rainy seasons are experienced in the year.

The vernal rains generally set in about the middle of May. These, compared with the autumnal rains, may be said to be gentle showers. They come from the south and commonly fall every day about noon, and break up with thunder storms; creating a rapid and luxuriant vegetation. After these rains have continued about a fortnight, the weather becomes dry, settled, and salutary; and the tropi-

cal summer reigns in full glory. This state of the weather commonly continues from the beginning of June until the middle of August, when the diurnal breeze, which had tempered the ardour of the climate, during several hours of the day, begins to intermit, and the air becomes sultry and suffocating. In the latter part of this month and most of September, we look about in vain for coolness and comfort. Large towering clouds are now seen in the morning, in the quarters of the south and south east—the tops of the mountains at the same time appear clear of clouds, and appear much nearer to the spectator than usual. The waters, however, with which the atmosphere is loaded, seldom fall with great and general force, until the beginning of October. It is then that the heavens pour down cataracts. An European who has not visited this climate, can form no just conception of the quantity of water which deluges the earth at this season; by an exact account which was kept of the perpendicular height of the water which fell in one year at Barbadoes, (and that no ways remarkable) it appeared to have been equal to sixty-seven inches.\* These periodical rains are not restricted here as in Africa, to a belt extending but sixteen degrees beyond the equator, but are found in the neighbourhood of the tropic of Cancer, if not beyond it.

In the tropical regions of the American continent, phenomena, nearly similar are observed, though often modified by local causes. At Cumana, it very seldom rains, while at Cumana-coa, at the distance of only twenty-one nautical miles, there are seven months of the year which are denominated wintry. Light showers are frequent there during the months of April, May, and June. A season of dry weather then succeeds, which continues from the summer solstice to the end of August. Then come the real winter rains, which cease only in the month of November, during which time the water descends in torrents. The sun passes the zenith of that place on the 16th of April and 27th of

\* Payne.

† Bruce.

‡ Vol. 4, page 363.

§ Denham's Journal.

|| Edinburgh Enc. Art. Abyssinia.

\* Edwards' Hist. of West Indies, Vol. I. page 7, &c.

August; and therefore that passage is nearly synchronous with the beginning of the rainy season.\*

Though the passage of the sun through the zenith appears to be the period toward which the commencement of the rainy season on the American continent generally approximates, yet the continuance as well as the quantity of water discharged, is evidently influenced by the situation of the mountains and forests. In the interior of the forests, on the Upper Orinoco, and the Rio Negro, the water which falls in a year is estimated by Humboldt to amount to 96 or 100 inches, '96 or 106 English measure. "When you have passed the latitude of 3° north, and approach the equator," says he, "you have seldom an opportunity of beholding the sun or stars. It rains almost the whole year, and the sky is constantly cloudy. As the breeze is not felt in this immense forest of Guayana, and the reflux polar currents do not reach it; the column of air that reposes on this wooded zone is not renewed by drier strata. Saturated with vapours, it condenses them into equatorial rains. The missionary assured us, that it often rained here four or five months without cessation. I measured the water that fell on the 1st of May in the space of five hours; it was twenty-one lines, (1.86 in. Eng.) in height. The third of May I even collected fourteen lines, (1.25 in. Eng.) in three hours. These observations were made during an ordinary rain. It appears from observations which I made successively at the foot of Guayaquil, on the shore of the South Sea, and in the town of Quito, at 1492 toises, (9540 feet Eng.) in height, that there falls ordinarily, two or three times less water on the back of the Andes, than at the level of the ocean. It rains oftener on the mountains, but there falls less water at once in a given time.†

Along the southern and eastern shore of the Mediterranean, beyond the limits of the torrid zone, we find two periods of the year, conspicuously marked by the fall of rain. The *early* and the *latter* rains are frequently mentioned in scripture.

These rains, though generally copious while they continue, are mostly of short duration. In Palestine, the former or autumnal rains, begin to fall about the end of October; when the inhabitants plough their ground and sow their wheat and barley. The latter or spring rains, usually begin in the former part of April, and continue until near the end of the month. As these rains are deemed essential to the support of vegetation, and their failure a certain prelude to famine, it is no wonder they are so ardently desired, and that a reference to them is so frequently found in the prophetic writings. The Hebrews were mostly agriculturists; extensive commerce was not compatible with their policy; and hence a failure of their usual harvest must have been to them an overwhelming calamity.

OBSERVATIONS ON THE CAUSES WHICH  
HAVE PRODUCED THE DIVERSITIES  
OF THE HUMAN SPECIES.—From  
*Prichard's Physical History of Man.*

The first persons who began to reason concerning the difference in the colour and aspect of Europeans and Africans, or at least the oldest writers, whose remarks on this subject have reached our times, attributed the dark complexion of the latter people to the burning of their skins by the intense heat of the sun; and the texture of their hair, to the dissipation of moisture produced by the same cause. We find this opinion delivered in some verses of Theodectes, preserved by Strabo. The other ancient writers in general held the same notion, with little variation; among whom we reckon Herodotus, Posidonius and Strabo.

It was very natural for the Greeks, who were accustomed to consider themselves as the most ancient of mankind, and the immediate offspring of the gods, to take themselves as the model of the human species, and to proceed to account for the peculiarities of any foreign people, from any circumstances connected with their situation. They had no knowledge of any black races of men, except such

\* Humboldt.

† Vol. V. page 340.

\* Shaw's Travels. Home's Study of the Scriptures.

as inhabited the hot countries of Ethiopia and India.

They entertained a very exaggerated idea of the solar heat in the torrid zone, and fancied it sufficient to burn up and destroy all animal and vegetable productions. Moreover they observed that the effect of fire is to incinerate and blacken whatever substances are touched by it. Hence, being much addicted to loose analogical reasonings on physical subjects, they were inclined to believe that the dark colour of the southern people is produced by the scorching effect of a hot climate.

But the moderns have, in general, adopted implicitly the sentiments of the ancients on this matter, and a writer of the last age, of justly acquired celebrity, has laboured to systematize the facts which he considered as leading to the opinion above mentioned, and to deduce a similar conclusion in a logical and inductive manner. After giving a general view of the condition of the human race, and of their aspect in different countries, as far as the hitherto inaccurate descriptions of travellers had enabled him to estimate them, he draws the general inference, that the heat of the climate is the chief cause of the black complexion in the human species. "When the heat is excessive," says he, "as in Senegal and Guinea, the men are perfectly black; when it is less violent the blackness is not so deep; where it becomes temperate, as in Barbary, Mogul, Arabia, &c. the men are only brown; and lastly, where it is altogether temperate, as in Europe and Asia, the men are white."\*

If this description were universally or even generally accurate, there would be no doubt that the Count de Buffon was right in his grand conclusion, although he might have erred in explaining the rationale of the effect. But, even in his time, some very wide deviations from this regular gradation were known, and several tribes, of very dark coloured people, had been found to be aboriginal possessors of cold countries, as the Greenlanders, Samoides, and Laplanders; the former of whom, as the Count tells us, "are,

some of them, as black as the Africans." This exception, however, he made to agree with his hypothesis, by assuming, that it is not the heat by itself, but the aridity of the air, which blackens the skin, and that the frozen atmosphere of Greenland is equally dry with the torrid air of Guinea. To explain the blackness of the negro, no unknown cause is assumed, although a more than adequate effort may be attributed to one that is known. The acquired hue is supposed to increase, in every generation, through a long course of time, till the shade of colour becomes such as we see it in the negro.

The fact, which is the basis of this theory, is true: viz. that the skin of the fairest European is very much darkened by exposure to the air and sun. Our rustics, and especially our sea-faring people, acquire a hue very different from the delicate complexion of females who are constantly protected from the influence of the weather; and this effect is much greater in hotter countries. But the offspring of individuals so imbrowned, are born with the original colour, not the acquired hue, of their parents. At least, it is certain, that there is no perceptible difference, in the descendants of persons who have sustained the effect of exposure to a hot climate during several generations; and we very fairly infer, that the same observation would apply to any repeated succession.

Among the examples adduced in support of the theory of Buffon, that of the Jewish nation is one which has been much insisted upon. These people are descended from one stock, and are prevented, by their religious institutions, from intermarrying with other nations; yet it is said, that they have acquired the complexion prevalent in every country into which they have been dispersed, being "fair in Britain and Germany, brown in France and Turkey, swarthy in Portugal and in Spain, olive in Syria and in Chaldea, tawny or copper-coloured in Arabia and Egypt."\*

This is an inaccurate statement of facts, for if the subject be examined,

\* Buffon's Hist. Nat. translated by Smellie.

\* Dr. S. S. Smith on the causes of the varieties in complexion, &c. of the human species.

it will be found that the Jews, where they have not mixed their stock by intermarriages with the indigenous people, have in no place varied considerably from their primitive complexion. It is not easy to ascertain precisely the physical characters of ancient nations, but from some passages in the scriptures, it would appear that the Jews in the time of their monarchs of the house of David, resembled the inhabitants of the South of Europe in their complexion.\* They had black bushy hair and a white skin, with some variety probably as we see in all races, and acquiring a darker hue in consequence of exposure to heat and air. And this is the natural complexion of the Arabs, whether in Syria or in the deserts of Arabia, and of the inhabitants of the northern coast of Africa. The natural or hereditary colour of any race of people is to be determined by the complexion of the women and children, who are not subject to be tanned or scorched by the sun. That the complexion of the nations above mentioned, is such as we have stated it to be, is declared by all travellers into the countries referred to.

Dr. Shaw and Mr. Bruce inform us, that the children born on the Barbary coast, are in their infancy very white, and that the girls remain so, but the boys, being early exposed to the sun, become brown. Bruce says, the women have a complexion so white, that it forms too strong a contrast with the red of their lips and cheeks. Buffon has given other authorities for the same fact, and I have frequently heard the account confirmed by judicious travellers, who have had much intercourse with the natives of the African coast.

Poiret tells us that the Moors are not naturally black, but that they are born white, and remain so all their lives, when their labours do not cause them to be exposed to the heat of the sun. In the cities, the women have a complexion, of so clear a white, that they would eclipse the greater number of our Europeans. But the Moorish women of the mountains, continu-

ally scorched by the sun, and almost always half naked, acquire from their infancy a brown cast.

La Boullaye informs us that the Arabian women of the desert are born fair, but that their complexions are spoiled by being continually exposed to the sun. Mr. Bruce gives the same account of the Southern Arabians. M. de la Roque, in his travels in Arabia, gives testimony to the same fact. "The Arabian princesses and ladies," says he, "whom I have seen through the corners of the tents, appeared to me very beautiful and well made. It may be judged by these, and by the accounts which I have received, that others are not less handsome. They are white, because they are protected from the sun. The women of the common people are extremely tawny." Volney informs "that the complexion of the Druzes in Syria, and of the people near Mount Lebanon, is not different from that of the French in the middle provinces. The women of Damascus and Tripoli," he adds, "are greatly celebrated on account of their fair complexions."

Now since the natural complexions of all the nations above mentioned is white, it cannot be supposed that the Jews, who reside among them, have received an impression from the climate, of which the other inhabitants, of the same countries, are insusceptible, and that they are brown in some districts, and tawny or olive or copper-coloured in others. The complexion of the ancient Hebrew race was similar to that of the nations of Syria, Arabia, and Barbary; and the Jews who are scattered through these countries, are, equally with the other inhabitants, born white, and remain so until they sustain the influence of a hot climate, from which they acquire a deeper hue. In England, the Jews commonly retain their black hair, and the characters which are ascribed to the choleric and melancholic temperaments, so that they have, in general, a shade of complexion somewhat darker than that of the English people, who are, for the most part, of the sanguine constitution.

It is therefore evident that Dr. Smith's assertion concerning the Jews, affords no support to his hypothesis,

\* See Solomon's Song, chap. f. v. 10, 11.

since it refers to the complexion acquired by external causes, and not to the natural or hereditary colour.

The most curious facts we have concerning the complexion of this nation, are those related of the Jews settled at Cochin, on the Malabar coast. Dr. Claudius Buchanan informs us that there are two sorts of them, the white or Jerusalem Jews, and the black Jews. The former have kept their race distinct. It appears by their records, which Dr. Buchanan considers as authentic, that they migrated to India soon after the destruction of their temple by Titus Vespasian, and that afterwards they obtained grants of territory and privileges, of which they have documents bearing date, A. M. 4250 or A. D. 490. They resemble the European Jews in complexion and features. But the Black Jews are a mixed race, and are looked upon as an inferior cast. Their ancestors having intermarried with the natives, they have acquired the Hindoo complexion and features. Hence it appears, that the instance of the Jews, might be almost sufficient to show, that the white complexion will be permanent during any length of time. For we find it subsisting perfect in the midst of the blacks of Malabar, though exposed to the darkening effect of an Indian climate, during almost the whole christian era.

That the race of Anglo-Americans has, in any part of their settlements, undergone, unequivocally, an approximation to the characters of the Indians, is contrary to the testimony which I have repeatedly received from unprejudiced and well informed natives of America, and from travellers in that country. Where such approximation has been imagined, the mistake has apparently arisen from want of discriminating between the native complexion of the people, and the hue acquired by exposure to the sun, by hard labour, and by the influence of local diseases. M. G. Heriot, a respectable writer, whose opinion on this subject is of weight, since he had no favourite opinion to support, expressly assures us that the Anglo-Americans have not made the least approach towards the complexion of the Indians. He is induced by this circum-

stance, to infer, that the colour of the latter does not depend upon climate.

I have been assured by many natives of the West Indies, that there is no perceptible difference in colour, between the inhabitants of them and the English people, except what arises from exposure to a hotter sun. The women and children are equally fair with those born in Britain. Persons who are descended from ancestors of sanguine temperament, have still the blue eyes and light hair, which characterize that constitution, though their forefathers were among the earliest settlers in that country. West Indians who have resided some years in England, become as fair as any of the natives of our Island. Mr. White assures us, on good authority, that Spanish families, which have resided in South America, and have avoided intermarriages with the Indian or mixed race, remain as white as any Europeans.

From these facts, and many others which might be adduced, we may assert, in general terms, that the result of historical inquiry confirms the observation, that the colour acquired by the parent on exposure to heat, is not imparted to his offspring, and has consequently no share in producing natural varieties.

It is not my intention to assert that climates can only produce an effect on individuals, who removing from another situation, come to abide under their influence. It cannot be denied that they have some power also of exhibiting certain changes in the progeny. But I am disposed to believe that the most important diversities of mankind, the difference, for example, between the white European and the Negro, depend upon another principle; and that no change of climate, however great, or for whatever length of time its influence might be continued, could transform a race of the former people into one of the latter, or even make them approximate in any considerable degree. It is very improbable that climates can influence the human species, more than the inferior tribes of animals, which are placed by many circumstances so much more under its control: yet we no where find that the colours of



these bear any evident relation to the gradations of temperature and latitude.

#### WESTERN INTERTERRITORIAL SLAVE TRADE.

A gentleman, who lately visited this city, informed the editor in the course of conversation, that on a journey from one of the western states to Virginia, during the coldest part of the winter 1826-27, he followed the route on which the traders in swine return to Kentucky from the southeastern parts of Virginia, and the adjacent state.—These traders, it appears, collect toward the close of summer, from the western parts of Kentucky, immense droves of hogs, which they drive to the southeast in search of a market. At the time in question, these travelling merchants were returning with the produce of their respective adventures. Many of them had collected in exchange for their swine, great numbers of negroes, mostly children and youths of both sexes, with a few women, whom they were conducting to Kentucky. Sometimes he passed a dearborn loaded with its human merchandise, huddled together in a parcel of straw, like the quadrupeds with which they had been purchased, and covered with a few dirty blankets. Sometimes his eyes were disgusted with the sight of a woman perched on a horse, with a child in her arms and another cowering at her back, all scantily clothed, and exposed to the rigours of the pitiless blast.

At the taverns where he lodged, he generally found a number of these suffering children of humanity, who seldom failed to apply to their own accommodation, during the night, the blankets which the travellers carried under their saddles. These blankets, when found, after necessary search, in the morning, were always more injured, both in texture and appearance, by their application to human use during the night, than by their station between the saddle and the horse during the day. The dirt with which they were copiously marked, bore ample testimony to the situation in which their occupants had been lodged, and

the traces of fire, to the scantiness of their nocturnal supply.

He endeavoured to learn, from the traders themselves, in what manner these children had been procured, and by what means they were intended to be introduced and sold in Kentucky.\* With respect to the former, it appeared they were obtained exactly like any other article of trade; one, two or more in a place, without regard to family connexion, or any other circumstance, except the convenience or caprice of the parties to the contract; and as to the latter, no important difficulty was present by the prohibitory law; for the law itself had provided the means of its own evasion. An *oath only* was required that the slaves were brought into the state for the proper use of those who brought them; and the sale was easily effected, by *borrowing money* and giving the slaves in pledge, with the condition annexed, that in case the money was not repaid within a limited time, the pledge should be forfeited.

Where the nerves and the conscience have become inured to the purchase and sale of human being as goods and chattels, perhaps this traffic may be readily reconciled. It may be said, and perhaps with truth, that the removal of these children, from the ex-

\* In the states of Delaware, Maryland, North and South Carolina, Tennessee, *Kentucky*, Georgia, Alabama and Louisiana, the following, or a similar law is in force. "No slave or indentured servant of colour, shall be brought into this state by land or water, nor shall any slave or indentured servant of colour, who may be imported or brought contrary to the intent and meaning of this act, be bought, sold or hired, by any person whatsoever."

"Any person importing or bringing slaves, or indentured servants of colour into the state contrary to the provisions of this act, shall forfeit and pay one hundred pounds, for each slave so imported or brought; and every person who shall knowingly sell, buy or hire, such slave or indentured servant of colour, shall be subject to a like forfeiture: *Provided*, That nothing in this act, shall be construed to prevent any citizen of the United States, or citizen or subject of any foreign country, who intends to reside and settle within this state, from bringing with them such slaves or persons of colour, as they may think proper, or to prohibit any citizen of this state, who may obtain slaves, &c. by marriage, gift, legacy, devise or descent, from bringing the slaves or servants of colour so obtained, into this state by land or water." And in order to prevent the abuse of the privileges conferred by these exceptions, it is made the duty of the persons coming within them, to make oath that the slaves introduced are not intended for traffic, nor in violation of the law.

haunted lands of Virginia to the more fertile soil of Kentucky, is an improvement, rather than a deterioration, of their condition. Still the traffic is strongly repulsive, on more accounts than one. These children, when fattened and matured for a few years in Kentucky, may very probably become the objects of a second transfer, to the great slave markets of Mississippi and the Floridas, a destination which is contemplated, by its victims, with peculiar horror. But exclusive of this consideration, grating as it must be to a feeling mind, the separation of children from parents, and the total dissolution of family ties, in which this traffic is commenced, and the perjury by which it is consummated, a broad philosophic principle stands opposed to this procedure. The human mind unavoidably forms an association between the *characters* as well as the *values* of things which we are accustomed to exchange for each other. Hence among civilized nations, the almost universal love of *money*. Our attachment to the necessities and conveniences of life, is transferred by association to their representative, or in other words the money by which they may be purchased. The North American Indians, frequently adopt a prisoner into their families, in place of a relative whom they have lost; and according to the estimation in which the prototype was held, is that of the substitute. No assiduity can raise him above the character and standing of his original. When negro children are habitually and familiarly exchanged for domestic animals, particularly those of the less amiable kind, the comparison thus made of the values of the objects of exchange, can scarcely fail to equalize, or at least closely approximate, in the eyes of the traders, the associated races. One predominant idea involves them all, they are viewed as property. Value is supposed to be given for value.—The worth of the one species is estimated in terms of the other, and hence the characters are unavoidably, in estimation if not in fact, closely assimilated. Is not this to brutalize the human race, and, as far as possible, to erase the Creator's image from the creatures he has made? Well might these poor degraded children address, to their

*drivers*, the pathetic language of Cowper,

Prove that you have human feelings,  
Ere ye proudly question ours.

#### LOVE OF COUNTRY EXEMPLIFIED.

The following narrative is translated from the petition against the slave trade, presented to the French Chamber of Deputies, in March 1821, by J. Morenas, lately employed as Agricultural Botanist, at Senegal, and member of the commission of exploration, attached to that colony.

In the year 1807, the slave traders (Nigriers,) of St. Louis, equipped an armament, destined ostensibly for Galam, but which sailed to Alebia. The unsuspecting natives received the French without the smallest distrust, entered into trade, and supplied them with such articles of food as they desired. The day was passed in sportive hilarity. This to the Europeans, was the roaring of a tiger in sight of his prey. The village was attacked at dead of night, and the miserable inhabitants either slaughtered, while defending their liberty, or carried into slavery. Many of them were transported to America; those who had the misfortune to fall into the hands of the French colonists, either died or remained to languish in hopeless and perpetual separation from their natal shore. Others were landed and sold in the island of Cuba. It is well known that slavery among the Spaniards, exists in a mitigated state, the slaves being allowed a part of the day to be employed according to their own discretion; and to purchase one or more hours of the day, until by successive redemptions, they become completely free.

Thirty-two of these people, including both sexes, who had been captured in the attack upon Alebia, having, by painful and persevering labour, purchased their freedom and chartered a Spanish vessel for 1500 francs, (about 280 dollars) each, arrived at St. Louis, in May 1818. This event, which occurred a short time previous to my arrival at Senegal, where it produced a great sensation, was related in the

Sierra Leone Gazette of 25th of July, 1818. *Query*—Could these African captives, have regained their liberty in this manner, if they had been sold in the United States?

#### ON SLAVERY.

In giving place to the following essay, extracted from the Kentucky Reporter, the editor of this work, desires it may be distinctly understood, that he is not pledged to the opinions of the writer. The essay is evidently the production of no ordinary mind, and presents some strong and original views of the future prospects of these United States. One topic at least has been adverted to, which the editor does not wish to introduce into this journal; and which he has consented to admit, merely from delicacy towards the writer, whose opinions, if given in a mutilated state, might be supposed unfairly stated. Emanating from the bosom of a slave holding state, it is hoped the strictures will be considered as those of a southern, rather than a northern observer. The editor has been informed, upon authority which he considers authentic, that the essayist, who is far advanced in life, emigrated in his youth, from Great Britain, and fixed his residence in Virginia, from whence a few years ago, he removed to Kentucky.

It has been repeatedly observed, that nations have dreaded the objects of their terror, long after all cause of dread had ceased; and that before their apprehensions were appeased, some power till then unthought of, has arisen and expelled former fear by present danger. It is needless to multiply examples: two may suffice.

Spain, though but the shadow of her former self, was long the object of defensive confederacies among the other European powers, till France arose, and nearly seized that universal

monarchy which Spain once thought her own.

The object most frightful to England, for a century, was Popery; joined afterwards, for another century, with the dreaded name of the Pretender. Giant Pope—to borrow the lively allegory of John Bunyan—had grown crazed in his limbs, and could do little more than sit in his cave, grinning at pilgrims as they passed along, while the last of the unhappy race of Stuarts was perishing by hard drinking. Yet the fear of both was hardly lulled, when Atheism grasped the power of France and almost realized the worst apprehensions of her ancient rivals.

Among ourselves, the power of Britain, the separation of the states, and the all-pervading influence of Congress, form, each in turn, the political bugbear of the day; while, within our very bosom, a tremendous power is rising, which outgrows our growth, and, by rapid advances, is increasing beyond our strength. I hardly need add, that I allude to our black population.

In attempting to discuss the consequences *inevitably* arising from this description of people, and the measures *absolutely* necessary to counteract them, I shall not advert to topics drawn from religion or morality. These have been brought forward by the divine and the philosopher, as yet, to little purpose. Indolence, Pride, Avarice and Fear, powerful agents in the human system, have hitherto been too hard for both. Let us then be content to urge the motive of temporal safety. Let us inquire whether those who defy, or evade, the sanctions of religion and the persuasions of morality, may not be moved by the consideration that in retaining these people they are clinging to certain destruction.

Some degree of attention has lately been paid to this subject; and the colonizing project has been hailed as presenting a dawn of improvement to Guinea, and of deliverance to America. Great benefits certainly will accrue to Guinea, from colonizing the coast; but the numbers, likely to be sent from hence, will not afford much relief to those who are doomed to the

irksome task of guarding the remainder. Nor can the most lively imagination indulge a hope, that the tenth part of the offspring of our present stock may be disposed of in this way. The utmost we can expect is, that a good number of free negroes may leave the northern states. As for the slaves of the south, they are property, and so highly valued, that it is to be feared no prospect of future danger will induce their owners to part with them. The sinking fund of England contrasted with the increase of the national debt—the colonizing scheme of America opposed to the increase of the negroes—are equally ineffectual for their respective ends. The situation of England in her finances, has long been to us a subject of pity or derision. Had we not better look at home, and see whether there exists a possibility of freeing ourselves from a burthen a thousand fold heavier than the debt of England? The abolition of the debt would at the worst, only change the persons of a few public men, and the fortunes of a few thousand individuals. The increase of the black race in the United States must ultimately terminate in the extirpation of their masters. Nor let this be considered as remote from us by so many generations, that we may safely leave it to after ages to provide against. The evil is almost at our doors. Fifty years hence, our children will behold from six to eight millions of their mortal enemies in the southern and western states; and the close of the century may double that number. It is not likely that our Guinea Colony will in fifty years show a population of 200,000; but 'tis certain that it will not exceed half a million. What kind of relief, will this afford us, with six or seven millions, on our hands? The passage to the West Indies is short, and the expenses, it is said, to be defrayed by the government of Hayti. Our whole stock of negroes, say 1,700,000, might by a few years navigation of 100 ships, be carried over. But would the Haytiens accept so many as must become their masters? And would the owners choose to part with them? Whatever becomes of the first question, the last must certainly be answered in the negative. Yet, would the owners keep

this destructive property to themselves, and forbear to drive the unwilling wretches into the neighbouring states, there would yet remain a hope for us. But this seems the farthest from their thoughts. The right of extending slavery appears dear to the owners as that of retaining slaves.

Many well meaning and respectable men, recommend the dispersion of the slaves, from an idea that it may lessen their numbers in their native states. A little consideration may convince such persons of the fallacy of their views. The quantity of food produced in a country, determines the number of its inhabitants. Take away one-half the people—the remaining half will, in a single generation, breed up to the amount maintainable by the produce. War, pestilence, and famine, are certain to be followed by an uncommon number of marriages. Their ravages have made space. Humiliating as it may appear, the human race exists on precisely the same terms as the brute creation. If your plantation supports a certain number of animals, and you sell one-half, you will, if your plantation continues equally productive, soon make up your number. Andalusia misses not the horses which she sent to America, although the latter country holds perhaps a hundred times the number to be found in the Spanish province. Nor will the British islands miss their original emigrants, when America shows a hundred millions of their descendants. Indeed, the reverse of this is more likely to take place. Population increases in proportion to emigration. Those Spanish provinces which send the greater part of the emigrants to America are the best peopled. Scotland and Ireland are full, to the extent of their means of subsistence, although they have been pouring forth their swarms for centuries.—Emigration encourages marriage. He who doubts his ability to support a family, is encouraged to raise one by the consideration, that, at the worst, they can find a subsistence elsewhere. This reasoning occurs in Virginia, as well as in Britain. Hence many, deterred from matrimony by a view of difficulties, find their scruples removed; and frequently the strong attachment to their native country deter-

mines them to remain there, even when pressed by that poverty to which they would not have exposed themselves but for the hope of escaping it by emigration.—And these remarks apply to the Negroes. Remove them by thousands, those left become more valuable, and the owner of the stock redoubles his attention to make up the deficiency. You may suppose that he will find a substitute in labouring white men. But this neither suits his interests, nor their prejudices, so long as negroes remain in the country. The vacancy is soon filled up with slaves; and you are taught by experience, that you have burthened the new states without relieving the old. Converse on this subject with a southern slave owner: he will acknowledge that appearances are awful—"but," adds he, "you will by and bye be in the same situation." And this consideration he seems to view as some consolation in his own desperate state.—Such is the judicial infatuation attending this kind of property that its owners would rather see their neighbours involved in their guilt and danger, than look to them as a probable asylum in future distress.

Happily, the line of demarcation has been fixed; and the white race to the north of 37° may count upon existence. From thence the slave states may look for help at a future day, and they will then gratefully acknowledge the services of those who, by their exertions in the legislature, prevented the states from being overrun by negroes. At present, they feel very different emotions; as blinded by habit and temporary advantage, they are unable to discern the consequences of their conduct. It is my intention to lay open these consequences, and for that purpose, I shall, with frankness, present to my reader, the result of a like state of things at a far distant period.

Nothing is more common than to hear men express indignation at the conduct of their predecessors, while themselves, under a different appellation, are treading closely in their footsteps. In France, the political fanatic of Louis the Sixteenth's day, abominated the religious fanatic of Henry the Fourth's time; yet to an impartial observer, they appear twin brothers.

Among the names hateful to republicans, those of "patrician," and "noble"—so well known, the first in the early, and the last in the concluding period of the Roman republic, are perhaps the most conspicuous. I doubt whether the hideous term, "king," is worse: nay, I am inclined to believe that many good men would rather be plagued with a single tyrant than with a regular nobility.

Yet let us inquire into the composition of society in the southern states, and we shall find it to consist of nobility and plebeians. Among these last, the negroes are not to be mentioned; for whenever they are heard of they are plebeians no longer. But the plebeians in the southern states are the poor whites; nor are these to be limited to those who hold no land, and consequently possess no vote: the petty free-holder holds the prominent place among them. The striking difference—the great cause of complaint, between the patrician and the plebeian, was the engrossing of land by the former, and the substitution of slaves in the place of the latter. What followed hence, appears in Plutarch's *Life of Gracchus*.

"As Tiberius passed through Tuscany, he found the country almost depopulated—there being scarcely any husbandmen and shepherds, except slaves from foreign and barbarous nations."

A sight like this was enough to rouse the feelings of a Roman; but those of Tiberius are best expressed in his own words:

"The wild beasts of Italy have their caves and dens to retire to for refuge; but the brave men that spill their blood in her cause, have nothing left except air and light. Without houses, without any settled habitations, they wandered from place to place with their wives and children; and their generals are but mocking, when on the eve of battle, they exhort their soldiers to fight for their sepulchres and domestic gods. For out of such numbers, there is not perhaps a single Roman who has an altar that belonged to his ancestors, or a sepulchre in which their ashes rest. They fight and die in order to advance the wealth and luxury of the great; and they are

called masters of the world, while they have not a foot of ground in their possession."

But that patriot failed in his attempt to restore freedom to Italy: the fury of the slave-holders destroyed him—and, but that his brother imitated his attempt, and shared his fate, he had justly merited the title of "last of the Romans." The consequences of the practice reprobated by Gracchus, were speedily felt in Italy. That country, which in former times had supplied men in shocking profusion for the sword, became almost desolate; yet unable to produce food for itself, was fed from Africa and Egypt. The legions were raised in Gaul; and as the influence of slavery spread most widely, soldiers were sought upon the frontier, which alone could furnish them, all the rest of the empire forming a land of tyrants and a den of slaves, who fell like grass before the mower's scythe, when assailed by the undisciplined valour of freemen.

Ancient authors are full of this subject. The decrease of the plebeians and the increase of the slaves, was a continued source of lamentation. "The Senate declined appointing a particular habit for the latter. 'We were afraid,' says Seneca, 'lest they might begin to count us.' Progressively with the increase of slaves, went the engrossing of land. 'Extensive estates,' says the elder Pliny, 'have been the ruin of Italy, and they have been equally destructive in the provinces. That of Africa was held by six persons.' It would be some satisfaction to learn, from the same author, that the reigning tyrant destroyed them, but that we find that the estates and slaves only changed masters. In vain did the law hold out encouragement to the free race;—the wealth of the slave-holder was irresistible. Indeed what power could secure the possession of the petty land holder from the grasp of a neighbour who counted his slaves by thousands? It was impossible; and the system ceased not till foreign conquest levelled both slave and master under the more humane villainage of the Barbarians.

As, in Italy, the increase of slaves and decrease of freemen, took place by the all-grasping spirit of the no-

bles; so in the slave states, the destruction of the white race, and the multiplication of the black, took place in equal ratio, by the same engrossing spirit operating in the slave-holder. As in Italy, in the time of Gracchus, so in Virginia in our day: the poor freeholder is bought out; he quits the country; a gang of negroes replace his family; the state has lost defenders, and acquired enemies; more land is wanting for the increasing stock, and more is bought; colonies of negroes planted; and as the plantation extends, it evinces in the names borne by its different fields, that formerly, so many white families occupied the ground where now only one remains. The former have gone to the west.

—"Pellitur paternos  
In sinu serena deos  
Et uxor et vir, auridoque notos."

HOR.

"Driven out by thee to new abodes,  
They carry their paternal goods;  
The wife her husband's sorrows shares,  
And on her breast the squalid infant bears."

FRANCIS.

If the white stays in his native state, his case is still more deplorable. Disheartened by the loss of his bit of land, and forbidden by pride to labour as a hireling among negroes, he abandons himself to hard drinking, and perishes an early victim, to the abominable institutions of his country. His children, too generally, follow his example. Inquire for him, after a few years; you find that his place knows him no more, unless he should be destined to a fate yet more deplorable. If destitute of feeling, he will gradually sink into the lowest grade, composed of those dregs of existence called overseers\*—the most abject, degraded, unprincipled race; always cap in hand to those who employ them, and furnishing materials for the exercise of their pride, insolence, and spirit of domination.† This class is the intermediate, between the independent landlord and the negro. Be it also remembered, that these degraded mortals are sacred from labour; as white men, they hold the rod. How low, then, must be those beings sunk,

\* This is a too common but not universal character of overseers.

† Wirt.

will look up to such and how almost instantaneous must labour appear in a country where such consumption is a degradation.

The education and labour of the bar, save them from much of the vice and misery entailed upon the volder sex. Yet is the situation of a poor widow, with a family of daughters, truly pitiable. She cares not put them out to serve in a white family: she knows, too well, what a poor degraded thing is a bound girl in a slave state. She endeavours to bring up her children by needle-work or spinning, the only labour compatible with their colour. But where is the employment? The lady on the next plantation prices them: "Yet what can I do for them?" adds she. "I have more lazy negro wenches than I can find work for." I pass over the consequences: they are too horrible to be dwelt upon. Had these helpless girls lived in a free state, every cottage would have been open to them; the wheel and loom would have furnished employment: labour and its rewards would have been their lot: they would have left a numerous progeny, and their sons might have been enrolled among the saviours of their country and the benefactors of mankind. They are supplanted by a race of enemies—the natural, justly the natural enemies of their native country, and the opprobrium of humanity. But negroes are increased, said that ought to satisfy us. A respected friend, many years ago, just returned to Richmond in Virginia, from beyond the ridge, informed me with great satisfaction of the *improvements* in that part of the state. "You would," said he, "be delighted to see them. Frederick county now resembles the lower country. Wealthy gentlemen, owners of large gangs of negroes, entertain you at as good a table, and with as generous wine, as you can find at home. The poor people and small farmers are bought out, and have gone to new countries." Such was what my friend considered as a subject of pleasing contemplation: and many others, of the same opinion, coolly observe that the removal of the poor planter is an improvement of his condition. It is so for the present: but what is to become of the country

which he abandons? Besides, the slave-holder pursues him into his new retreat: and will in due time root him from the earth. This conduct ultimately ensures his own destruction. The barons of the South may, like those of former ages, exist in the increase of their vassals, and the decrease of poor freemen. Let them remember that the commonsens of England sprang from the villains, and that the barons have long since disappeared before them.

(To be continued.)

#### STATISTICS OF SLAVERY.

##### NO. I.

Of all the circumstances, by which the people of these United States are distinguished from the inhabitants of the eastern world, there is probably none more remarkable and interesting than the unparalleled growth of our population. While the inhabitants of Africa are, in all probability, less numerous now than in the day when Scipio Africanus planted his victorious eagles on the walls of Carthage; while eastern Asia, with its vast acre subjected to cultivation, is groaning under a stationary population, and, even western Europe, with all its arts and enterprise, requires nearly a century to effect a duplication of its inhabitants, the people of the United States double their numbers in less than a fourth of that time.\*

It is true the tide of emigration has always set across the Atlantic in a western direction; still it is easily

\* The French Encyclopædists tell us, that according to the work of the Abbe Exilly, the population in France in fifty years, increased about one twelfth. Adam Smith supposed, that a duplication in Great Britain and most other countries would require at least five hundred years. Colclough estimated the inhabitants of Great Britain in 1700, at 5,523,000 souls, and in 1800 they amounted to 10,942,646, and therefore it would appear they had not doubled in a century. From a summary of the population of England, Wales, and Scotland, published by order of the House of Commons in 1812, it appears the population of those countries in 1601, amounted to 10,942,646 persons, and in 1831 to 22,552,144; a ratio of increase which would double the population in a little more than 50 years. Dr. Scybert allows eighty years for the duplication of the inhabitants of Great Britain, and 2261 for those of the United States. See Statistics, page 28.

shown, that the emigrants compose a comparatively unimportant part of our aggregate increase.\*

To whatever cause this rapid augmentation is to be attributed, the fact is generally admitted as conclusive evidence of national prosperity. It is, however, of great importance, that our growth should be healthful as well as rapid, and our means of subsistence be commensurate with our augmentation of numbers. How far this is dependent upon the admission or exclusion of slavery, is a consideration worthy the attention of the politician no less than the philanthropist.

Though the enumerations made by order of Congress for the years 1790, 1800, and 1810, are much less particular with regard to the slaves in the United States, than would have been desirable, yet they furnish the data of numerous very important calculations. The census of 1820 having been made upon an improved plan, supplies a document of still greater interest.

The following table exhibits the number of slaves, and their ratio to the free white population, and to the free coloured race, in the several states at the four periods for which enumerations have been made.

It may be observed that in the enumerations prior to 1820, the free coloured people are probably rendered a little too great, for want of the proper distinctions in the manner of making the returns; this, however, is remedied in the census of 1820. In all the enumerations except the last, the slaves are returned without distinction of age or sex. In the census of 1820, the returns from New York exhibit an amount of 3405 slaves, under 14 years of age, and a further amount of 3203, under 26,

\* The emigrants from 1790 to 1810 were estimated at 120,000, to which number adding 60,000 for their native increase, we obtain an amount of 180,000 as our foreign supply during those twenty years. But the whole actual increase of our white population, during that time, was 2,521,910. The augmentation of this part of our population was, therefore, composed of indigenous and exotic growth in the ratio of about 15 to 1. It may be added that the influx of foreigners, by filling up the places of employment and increasing the difficulty of support, rather retards the increase of the native inhabitants.

though, by the law of that state, passed in 1817, all children born of slaves in the state after the 4th of July, 1799, were to be free at the age of 28 or 25 years. And it is presumed few slaves are held there, except such as are born there of slaves. In Pennsylvania we also find in the same census, 7 slaves under 26, and 54 more under 45, though according to our laws, the youngest slave for life held in Pennsylvania, must have been then upwards of 40 years of age. It therefore appears that we have enumerated as *slaves*, at least in New York and Pennsylvania, those coloured persons who are held to serve until 28.

It may be further remarked, that some confusion has been unavoidably introduced into the table by the numerous divisions of states or territories, which have been made during the intervals between the enumerations. Thus, the relative numbers in North Carolina for 1790 and 1800, are rendered imperfect by the formation of Tennessee. A similar inaccuracy is introduced into those of Georgia for 1810 and 1820, by the formation of Alabama. During the same interval, some important changes were made in the countries on the Mississippi, by the division of the territory of Louisiana into Missouri and Arkansas.

From this table we may observe, that in all the states north of Mason and Dixon's line, the slaves have been decreasing through all the periods, with the exception of New Jersey in the first, and Delaware in the last. And in most of them the change has been so rapid, that we naturally anticipate the addition of several states to the number in which slavery will be unknown at the time of the next enumeration. In New York, the decrease of the slave population appears much slower than in several of the sister republics, yet there, the year 1817 must stand as a conspicuous era in the history of slavery.

In all the southern states, we find the number of slaves continually increasing through every period included within the table, with the exception of Maryland during the last



STATES.	In 1790.			In 1800.			In 1810.			In 1820.		
	Slaves.	No. of Slaves, for 100 whites.	for 100 free col.	Slaves.	No. of Slaves, for 100 whites.	for 100 free col.	Slaves.	No. of Slaves, for 100 whites.	for 100 free col.	Slaves.	No. of Slaves, for 100 whites.	for 100 free col.
New Hampshire,	158	.09	25.07	8	.58	11.5	0	.13	2.98	0	.06	1.34
Rhode Island,	948	1.47	27.82	380	.39	17.94	108	.12	4.80	48	.03	1.10
Connecticut,	2764	1.19	98.43	951			310			97		
Vermont,	16	.02	7.33	0			0			0		
New York,	21324	6.79	458.2	20613	3.71	198.7	15017	1.63	59.28	10088	.75	34.45
New Jersey,	11423	6.72	413.59	12422	6.39	282.2	10851	4.78	138.3	7557	2.93	60.65
Pennsylvania,	3757	.88	57.17	1706	.29	11.7	795	.10	3.53	211	.02	.69
Delaware,	8887	19.19	227.9	6153	12.34	74.4	4177	7.54	31.8	4509	8.15	34.79
Maryland,	103036	49.38	1281.1	107707	48.52	538.9	111502	47.42	328.65	107398	41.27	270.32
Virginia,	292627	66.19	2274.3	346968	66.89	1692.3	2518	71.17	1283.93	425153	70.50	1151.27
North Carolina,	100572	34.90	2021.5	133196	39.42	1891.2	168824	44.85	1644.49	203017	48.90	1396.23
South Carolina,	107094	81.64	5346.1	146151	74.47	4594.5	196365	91.67	4311.70	2258475	108.90	3801.27
Georgia,	29264	55.33	7352.7	59699	59.06	3111.1	105218	72.36	6842.21	149656	78.88	8432.
Kentucky,	12430	20.33	10903.	40343	22.43	5444.4	80561	24.84	4702.92	126732	23.58	2937.55
Tennessee,				13584	14.81	4396.	44535	20.63	3381.53	80107	23.17	4393.40
Louisiana,							34660	101.04	436.95	69064	94.11	659.26
Alabama,										41879	49.01	7334.32
Mississippi,							17088	74.21	7120	32814	77.80	7164.62
Territory of Louisiana,							3011	17.47	496.04			
Indiana,							237	.99	60.30	190	.12	15.44
Illinois,							168	1.15	27.4	917	1.70	181.22
Michigan,							24	.52	20.	0		
District of Columbia,							5395	33.54	208.12	6377	28.19	157.53
Missouri,										10222	18.46	2234.57
Arkansas,										1617	12.85	2740.67

interval; and the ratio of increase is generally augmented as we recede from the non-slave holding states. This ratio and the circumstances either of local situation, or species of cultivation, by which it is affected, furnish a subject which will be reserved for future examinations.

The fact may be here adverted to, one which an inspection of the second column, for each of the successive periods, will render obvious, that in the middle states, Maryland included, the ratio of the free white population to that of the slaves is continually increasing, with one solitary exception; but we observe the appalling fact, that in those south of the Potomac, not only is the number of slaves increasing, but the ratio of their number to that of the free white inhabitants is generally augmenting. A few, and but a few exceptions appear. Thus in Virginia in 1810, there were 71.17 slaves, and in 1820, but 70.5 slaves for 100 white persons. Also in South Carolina, we find the balance, for slaves and free white population, changing, during the interval from 1790 to 1800, in favour of the whites; but for the two following periods, the opposite vibration has place, giving to the slaves in 1820, a numerical superiority.

The numbers in the third column prove, that in most districts of the United States, the ratio of the number of free persons of colour, to that of the slaves, is gradually changing in favour of the free. In Maryland, Virginia, and the Carolinas, we find the number of slaves for every 100 free persons of colour, continually decreasing through each of the periods. In Delaware, the numbers decrease through two of the periods, and increase in the third. Thus it appears, that in that state there was, from 1810 to 1820, not only an augmentation in the absolute number of slaves, but an increase of their ratio, both to the white and to the free coloured population;—a fact deserving the serious attention of the enlightened people of that republic.

#### AFFECTING EXIT.

The following pathetic narrative, is extracted without comment, from the

travels of Lieut. F. Hall, a native of Great Britain, who visited the United States, in 1816 and 1817. The execution it appears took place at Charleston, S. C. during the visit of the narrator in the former part of 1817.

“A man died on board a merchant ship apparently in consequence of poison mixed with the dinner served up to the ship’s company. The cabin-boy and cook were suspected, because they were, from their occupations, the only persons on board who did not partake of the mess, the effects of which began to appear as soon as it was tasted. As the offence was committed on the high seas, the cook, though a Negro, became entitled to the benefit of a jury, and, with the cabin boy, was put on his trial. The boy, a fine looking lad, and wholly unabashed by his situation, was readily acquitted. The Negro’s turn was next. He was a man of low stature, ill-shapen, and with a countenance singularly disgusting. The proofs against him were, first, that he was cook; so who else could have poisoned the mess? It was indeed overlooked, that two of the crew had absconded since the ship came into port. Secondly, he had been heard to utter expressions of ill-humour before he went on board: that part of the evidence was indeed supprest which went to explain these expressions. The real proof, however, was written in his skin, and in the uncouth lines of his countenance. He was found guilty.

“Mr. Crafts, junior, a gentleman of the Charleston bar, who from motives of humanity, had undertaken his defence, did not think a man ought to die for his colour, albeit it was the custom of the country; and moved in consequence for a new trial, on the ground of partial and insufficient evidence; but the judge, who had urged his condemnation with a vindictive earnestness, intrenched himself in forms, and found the law gave him no power in favour of mercy. He then forwarded a representation of the case to the President, through one of the senators of the state; but the senator ridiculed the idea of interesting himself for the life of a negro, who was therefore left

to his cell and the hangman. In this situation he did not, however, forsake himself; and it was now, when prejudice and persecution had spent their last arrow on him, that he seemed to put on his proper nature, to vindicate not only his innocence, but the moral equality of his race, and those mental energies which the white man's pride would deny to the shape of his head and the woolliness of his hair. Maintaining the most undeviating tranquillity, he conversed with ease and cheerfulness, whenever his benevolent counsel, who continued his kind attentions to the last, visited his cell. I was present on one of these occasions, and observed his tone and manner, neither sullen nor desperate, but quiet and resigned, suggesting whatever occurred to him on the circumstances of his own case, with as much calmness as if he had been uninterested in the event; yet as if he deemed it a duty to omit none of the means placed within his reach for vindicating his innocence. He had constantly attended the exhortations of a Methodist preacher, who, for conscience sake, visited 'those who were in prison;' and, having thus strengthened his spirit with religion, on the morning of his execution, breakfasted, as usual, heartily; but before he was led out, he requested permission to address a few words of advice to the companions of his captivity. 'I have observed much in them,' he added, 'which requires to be amended, and the advice of a man in my situation may be respected.' A circle was accordingly formed in his cell, in the midst of which he seated himself, and addressed them at some length, with a sober and collected earnestness of manner, on the profligacy which he had noted in their behaviour, while they had been fellow-prisoners; recommending to them the rules of conduct prescribed by that religion in which he now found his support and consolation.

"Having ended his discourse, he was conducted to the scaffold, where having calmly surveyed the crowds collected to witness his fate, he requested leave to address them. Having obtained permission, he stepped firmly to the edge of the scaffold, and having commanded silence by his ges-

tures, 'You are come,' said he; 'to be spectators of my sufferings: you are mistaken; there is not a person in this crowd but suffers more than I do. I am cheerful and contented, for I am innocent.' He then observed, that he truly forgave all those who had taken any part in his condemnation, and believed that they had acted conscientiously from the evidence before them; and disclaimed all idea of imputing guilt to any one. He then turned to his counsel, who, with feelings which honoured humanity, had attended him to the scaffold; 'To you, Sir,' said he, 'I am indeed most grateful: had you been my son, you could not have acted by me more kindly;' and observing his tears, he continued; 'This, Sir, distresses me beyond any thing I have felt yet: I entreat you will feel no distress on my account: I am happy.' Then praying to Heaven to reward his benevolence, he took leave of him, and signified his readiness to die; but requested he might be excused from having his eyes and hands bandaged: wishing, with an excusable pride, to give this final proof of his unshaken firmness: he, however, submitted, on this point, to the representations of the sheriff, and died without the quivering of a muscle.

William Crafts, mentioned in the preceding narrative, has been recently numbered with those that were and are not. His career though not long, appears to have been highly honourable. Though his political opinions were not popular, his acknowledged talents procured his repeated election to a seat in the General Assembly of his native state. In this situation, he rendered important services to his constituents. He was early distinguished for his love of letters, and laboured assiduously to diffuse among others, a similar taste. To use his own language, he felt that "knowledge was the life blood of republics," that the eagle was the bird of light, as well as of liberty. In the legislature he always advocated every measure which had for its object, the encouragement of scientific and literary institutions. And to his powerful eloquence, the poor of South Carolina, are deeply indebted for the means of literary instruction.

THE  
**African Observer.**

SIXTH MONTH, 1827.

NEGRO SLAVERY.

(Continued from page 37.)

In the preceding numbers, a concise view has been taken of the slavery of the ancient world, as well as of the branch of African slavery which properly belongs to that quarter of the globe. We have seen that among the nations of antiquity, the institution was generally mitigated, either by positive laws, or established usages, so as to lose its most repulsive features, and place its victims in a situation approximating to that of the class who were denominated free. And that the domestic slavery of Africa is so mild as to be scarcely distinguishable from freedom.

To estimate the burden of slavery correctly, we must compare the condition of the slaves with that of the freemen of their own age and country, not of those who enjoy a more limited or more ample share of civil and political freedom. Every thing is estimated by comparison; and the man who is deprived of every civil right, while all around him are basking in the sunshine of freedom, must feel the fangs of servitude much more poignantly

than the one, who, though subjected to similar privations, beholds his lot but little below the general doom. We may therefore conclude that negro slavery, as existing in the United States and British West Indies, if not *actually* more mitigated than among any other people, ancient or modern, must be *in effect* more degrading and oppressive than any other with which we are acquainted, from its contrast with the high degree of civil and political freedom by which it is surrounded. Our plaudits of liberty, though sweetly musical to ourselves, must grate harsh discord on the ears of the slave.

Strange and paradoxical as it may appear, there is reason to believe, that those nations who plume themselves most highly on their refinement and humanity, and are most scrupulously jealous of their own liberty, still hold the iron rod of slavery with a more rigid and relentless grasp than any other people under whose dominion the hapless negro has been permitted to fall.

The treatment of slaves among the Spaniards and Portuguese of the western world, is generally admitted to be much more humane than among the English and Dutch. At Brazil, the curates appointed by law as the defenders of negroes, can, like the Athenian and Roman magistrates, rescue the slaves from cruel and tyrannical owners, by a judicial sale. Among the Spaniards, previously to the late revolutions, manumissions could not be refused, on the payment of a sum fixed by the law. The slaves were even permitted to purchase their freedom for a day in the week; by which means, with industry and economy, the whole might be gradually redeemed. The policy as well as humanity of such a provision, requires only to be intimated in order to be seen.

As negro slavery, as well as our common law, was bequeathed to us by our political parent, a brief review of its present state, as existing in law and practice, in the British Colonies, will be attempted; together with some parallels in the legal condition of slaves in the United States. I do not here inquire what class, either as regards complexion or origin, are subjected to the servile yoke; but merely what is the legal condition of those who are thus subjected. The classes who are or may be held in slavery, and the tenure by which they are held, will be reserved for a subsequent number.

The master is the sole arbiter of the kind and degree and time of labour, to which the slave shall be subjected; and of the subsistence, or means of obtaining a subsistence, which shall be given in return.\*

\* For the legal condition of the slaves in the British West Indies, I am

Hence when the master is in embarrassed circumstances, it is reasonable to suppose that the labour exacted approaches as near the limits of the negro's physical powers as it can be brought by the terrors of the lash; and that the support allowed is reduced nearly as low as the nature of the case will admit. This, indeed, appears to be admitted by the West Indians themselves, in their official reports; and as the planters are well known to be generally in debt, the life of a West Indian slave must be a scene of drudgery, to which few parallels can be found among the civilized nations of the earth.

In addition to the labour exacted by the terror of the lash, during the six working days, and, through several months of the year, during the half of the night, the West Indian slaves are usually compelled to appropriate the remaining day of the week to the cultivation of their own provision grounds. Though in this employment they are no longer followed by the driver's whip, yet a motive little less imperious urges them to exertion. Their masters, instead of assigning them a

chiefly indebted to the Slavery of the British West India Colonies, &c. by James Stephens, Esq. of London, and for the laws of the United States, to a manuscript work, now offered for publication, by George M. Stroud, of the Philadelphia Bar. The former work, being already before the public, needs no encomium of mine. The latter is a well digested compilation, comprising in a small compass a large amount of information, which, taken in connexion with the notes and observations of the writer, must prove highly interesting to such readers as are desirous of obtaining, at a small expense of money and time, an acquaintance with this momentous subject.

sufficient quantity of food ready prepared, as a remuneration for their six days' labour, generally allow them a small portion of arable land, from which they are expected to derive their principal supply. And to obtain a support such as nature demands, the poor slaves must employ in this species of labour, the day which, among Christian nations, is usually considered as sacred to devotion or repose. The complaint of the poet,

Even Sunday shines no Sabbath day to me,

would be, in their mouths, emphatically true; being, in all probability, the most actively employed of the seven. For voluntary labour, or that which is impelled by hope as well as fear, is generally the most ardent, and though least felt as it passes, must contribute in the greatest degree, to the exhaustion of the physical powers. "In Jamaica," says Bryan Edwards, "the negroes are allowed one day in a fortnight, except in crop,\* besides

\* The time of crop signifies the time the mills are grinding cane to make sugar; which continues, according to Bickell and others, nearly half the year. During that time the allowance of a day in the fortnight is withheld, and one half of the night, or the whole of the alternate nights, added to the season of labour. What number of holidays are usually allowed *in practice*, I am not informed; but the laws of Jamaica, supposing them faithfully observed, do not appear to secure, in addition to a day in two weeks *out of crop*, more than four or five in the year; and so anxious has the legislature of Jamaica appeared to restrain the excess of indulgence, that the masters are prohibited by law from granting two holidays in succession, except at Christmas, when *two* and no more are permitted. See Consolidated Slave Act, section 18. It may be added, that notwithstanding their unremitted labour during the

*Sundays* and holidays, for cultivating their grounds and carrying their provisions to market. Some of them find time on these days, besides raising provisions, to make a few coarse manufactures, for which they find a ready sale. The most industrious do not, I believe, employ more than sixteen hours in a month in the cultivation of their provision gardens, and in favourable seasons this is sufficient. Sunday is their day of market, and it is wonderful what numbers are then seen, hastening from all parts of the country towards the towns and shipping places, laden with fruits and vegetables, pigs, goats, and poultry, their own property. It is supposed that upwards of 10,000 assemble every Sunday morning, in the market of Kingston, where they barter their provisions, &c. for *salted beef and pork*, or fine linen and ornaments for their wives and children." Hist. W. Ind. book iv. ch. 5.

If even *some* of the field negroes can effect what is here indicated, in the few hours allotted to their own disposal, it must be obvious that the system is, some way or other, extremely impolitic, or their masters, who enjoy the profits of their labour during at least six days upon an average in the week, instead of sinking under accumulating debts, must amass estates with unparalleled rapidity. The impolicy of slavery, however, will require, and probably obtain in a subsequent stage of the inquiry, a more distinct consideration.

season of crop, the slaves appear at that time in much higher condition than during the rest of the year. This results from the free use which they make of the nutritious juice of the cane; a fact however which gives some idea of their starving condition through the remaining months of the twelve.

In regard to the means of support, the situation of the West Indian slave presents a strange anomaly to the usual law; his comforts and supplies being nearly in an inverse ratio to the productiveness of the soil. Where the soil is well adapted to the cultivation of canes, the allotments of the slaves are liable to be stinted, whilst their labour, on account of its superior importance is rendered more severe than on thinner soils. In the Bahama Islands, where the land is much exhausted, the slaves are not only more liberally endowed with lots for their own use, but the supplies from their masters are also more copious, than in the Leeward Islands, where sugar is generally cultivated. In the latter islands, the provisions are mostly bought, and hence money or credit is required to obtain them; in the former they are raised on the islands where they are consumed, and hence the embarrassment of the master affects less injuriously the condition of the slave.

In the United States, the situation of the slaves, though in fact much more favourable than in the British islands, is, as far as the laws in most of the slaveholding states are concerned, very nearly similar. One all-pervading principle runs through the system. The slaves are considered not so much in the light of *sensitive beings*, possessed of inherent rights, but as *property* over which the right of ownership is either absolute, or to be very cautiously touched. In most of the states, the authority to regulate at discretion the time and degree of labour, as well as the kind and quantity of food, results as a necessary consequence from the nature of the relation between master and slave, and the absence of

any legislative enactment on the subject. In several of them, indeed, there are laws, ostensibly designed to limit this authority—The Carolinas, Georgia, Louisiana, and Mississippi are of this number.

A law of South Carolina, passed in 1740, designed, as we find by the preamble, to correct abuses then existing, provides, that no slave shall be required to labour more than fifteen hours in twenty-four, during the summer season, nor more than fourteen during the other half of the year. In Louisiana, a law of 1806, prescribes that the slaves shall be allowed half an hour for breakfast, and two hours for dinner, during one half of the year, and an hour and a half during the other; with the proviso, that half an hour in the day may be deducted from this time, in case the owners cause the meals to be provided for the slaves. But when the labour of the day shall begin or end, the law does not profess to declare. The laws of Georgia and Mississippi prohibit the owners or overseers from exacting from the slaves any labour, (works of absolute necessity and the necessary occasions of the family excepted,) "on the Lord's day usually called Sunday." In Georgia also, the *owner*, not the overseer, who shall require of any slave, a greater quantity of work than he is able to perform, and withhold the necessary food, and otherwise abuse, so as to impair the health of such slave, is liable, upon sufficient information being laid before the grand jury, to be presented and subjected to a criminal prosecution; and if convicted, to be punished with fine or imprisonment, or both, at the discretion of the court.

In Louisiana every owner is requir-

ed, by law, to deliver to his slaves\* one barrel of indian corn, or the equivalent thereof in rice, beans, or *other grain*, and a pint of salt, every month. In North Carolina, by a law passed in 1753 and still in force, it is provided that "in case any slave, who shall appear not to have been sufficiently clothed, and to have constantly received, for the preceding year, an allowance not less than a quart of corn per day, shall be convicted of stealing any corn, cattle, &c, from any person not the owner of such slave; such injured person may maintain an action of trespass against the owner or possessor of such slave, and recover his or her damages." Whether the slave, in such case, shall be punished as a thief by the operation of law, or left to be punished, at the discretion of the master for the expense and vexation occasioned by the suit does not appear.

In Louisiana, some *attempt* appears, to secure to the slaves, by legal enactment, a supply of clothing.—How adequate this supply is, if the practice is strictly conformable to the prescriptions of law, will be easily seen, when we perceive that the legal allowance is "one linen shirt and pantaloons (une chemise et une culotte de toile) for the summer, and a linen shirt and woollen great coat and pantaloons for the winter." In South Carolina and Georgia some enactments appear, ostensibly designed to restrain or punish such owners of slaves as may be guilty of withholding from them the needful supplies of clothing and food; but a slight attention to the laws themselves and the circumstances of the par-

ties concerned, will be sufficient to convince us, that no practical advantage to the slaves, can possibly result from them.

If we imagine that the laws above noticed, were enacted, as laws are generally supposed to be, to correct *existing or probable* evils, what can we think of that one which limits the hours of legal labour to fifteen in twenty-four; whilst in several of the states, of which Virginia and Georgia are a part, *convicted felons*, who are sentenced to *hard labour as a punishment*, are never allowed to be kept at work more than ten hours in the day? Is the *protection* afforded to the slave, less humane than the *punishment* adjudged to the criminal? In Jamaica, the slaves are stated by B. Edwards, to be usually employed out of crop time, about ten hours in the day, though I find by the consolidated slave law, they may be kept at work twelve and a half. I am far from asserting that slaves in the United States, are *generally* overwrought or too scantily fed; though unquestionably very oppressive cases of both sometimes occur. This is not the great and crying evil of slavery. But when they escape this species of injustice, they are more indebted to the humanity or negligence of their owners, than to the efficacy of law. Unfortunately, almost every legal provision, designed to protect the slaves from the tyranny of cruel and unprincipled owners, and against such the laws ought most carefully to provide, are rendered nugatory by the influence of other provisions or principles by which the codes of the slaveholding districts are marked. Independently of the aversion almost universally felt, to any interference with the private concerns of others, and the antipathies, not to

\* Meaning, I suppose, to each of his slaves, though I do not find that it is so expressed.



say personal danger, resulting from such interference, to which the case of injustice to slaves, is by no means an exception, the legal impediments to a successful prosecution of any suits directed to this object, are such as to render it quite improbable that the experiment, except in very flagrant cases, will often be tried. The injuries to be redressed are probably often unknown, except to the oppressor and the party aggrieved: and a stern, inflexible principle of modern slaveholding law, is that no slave, or other person of colour, can be admitted as a competent witness against a white man. This principle and its necessary consequences will be reserved for future discussion. It may be just observed in this place, that, as law without an executory principle, is little more than legislative mockery, the exclusion of negro evidence from our judicial tribunals, must render every legal protection, which can be afforded them, beyond the mere preservation of life and limb, almost wholly inoperative, and leave the poor slave one of the greatest outlaws in nature.

The master's authority is little less arbitrary, in relation to the degree and kind of punishment to which the slave shall be subjected, than to the labour exacted; and this power of arbitrary punishment, is exercised not only by the master himself, whose interest, in the life and health of the slave, might assign some limits to the wantonness of power, but by a numerous class of agents and sub-agents,\* whose inter-

\* If this delegation of absolute power is not peculiar to negro slavery, it was at least unknown to English law till introduced, with other innovations, into the system of West Indian servi-

ests are more dependent on the quantum of labour obtained, than on the preservation of the slave.

In the laborious employment of cultivating the sugar-cane in the British colonies, the slaves usually work in *gangs*, moving like a military corps, in a line, and followed by drivers armed with whips, which are often applied with tremendous effect, to those who, from sluggishness or inability, fall behind the rest.

Of all the shapes and hues which slavery has ever assumed, the driving system of the British sugar islands appears pre-eminently odious. The miserable victims are subject not only to the imperious authority of their European lords, but to the capricious cruelty of drivers, selected from the most athletic of the slaves, who are, in general, little schooled in the science of humanity, and impelled, by the fear of being punished themselves, to exact from their human herd, the quantum of labour required.

To contemplate a group of human beings, with passions, faculties, and infirmities, like our own, toiling, amid the fervours of a tropical sun, under the impetus of a drivers whip applied with little restraint or discretion, may well awaken in the benevolent mind, a train of sensations which language is too barren to express.

What man seeing this,  
And having human feelings, does not blush  
And hang his head to think himself a man?

In some instances, it is true, the number of lashes to be inflicted *at one*

tude. The English villein, might prosecute any man but his lord, for beating him without just cause, and it was no legal defence, in such action, to plead that it was done by the command of his lord.—*Coke's Reports*.

time, or for *one offence*, is professedly limited by law.

Such limitation, however, if it could be strictly enforced, would evidently afford to the suffering victim, a very slender protection against the cruelty of an irritated master, or his more unfeeling deputy, when the legal number of lashes on the naked body, with a long cattle whip, frequently extends to thirty-nine, for a single offence; and this liable to repetition at short intervals, at discretion. But the means of securing even this slender protection are wanting, for, as the evidence of slaves, or even of free coloured people, is there, as well as in the slave-holding sections of the United States, always excluded when white persons are under trial, violations of the laws, however enormous, where slaves alone are the sufferers, can seldom be legally proved, so as to subject the white criminals to the trivial and inadequate punishment which the laws have prescribed.

That the punishment, to which the slaves in the British islands are subjected, is not only occasionally but habitually severe, appears from the concurrent testimony of numberless witnesses of unquestionable veracity. Even Bryan Edwards, the champion of West Indian humanity, admits that instances of excessive cruelty *sometimes* occur, though he asserts that the *general* treatment is mild, temperate, and indulgent; and that instances of cruelty, when susceptible of legal proof, are severely punished.\* A striking comment on the general mildness, with which the slaves are treated, is furnished by the same historian in his account of an insurrection which occurred in Jamai-

ca in 1760:—An overseer, remarkable for his tenderness and humanity to the slaves, was permitted to pass unmolested through a band of insurgents, many of them newly imported, who carried massacre and desolation in their course, and barbarously murdered every other white person that fell under their power! As it is no part of my plan to harrow up the feelings of my readers with the shocking details of cruelty abounding in the narratives of those who have visited the sugar plantations of the British islands, I shall just observe that they mostly concur in the statement, that few of the slaves are exempt from the permanent scars left by the whip, and that in many of them, those parts of the body, to which the whip is usually applied, are completely covered with the vestiges of cruel and repeated punishments. Ample as the range of the master's legal authority, in relation to punishments, obviously is, the limits prescribed by law are very frequently disregarded. R. Bickell, a clergyman late of Kingston, in a work recently published, mentions an instance which fell under his own inspection, of a black driver, punishing a slave, for a trivial neglect, beyond the limits prescribed even to a white man's authority, and yet the officer legally entrusted with the protection of the slaves, though likewise a witness to the transaction, permitted it to pass without animadversion.

A large portion of the West Indian proprietors reside in Europe, and entrust the management of their slaves, to agents and overseers, who are more interested in the production of large immediate returns, than in the preservation of the slaves, or the permanent advantage of their absent employers. These overseers are very generally but

\*Hist. W. Ind. vol. 2, ch. 5.

little influenced by moral or religious considerations; and hence their passions are allowed a range, of which the poor dependent slaves are often made the victims. Even those who retain a good share of the milk of human kindness, must, from the influence of habit, and the frequent sight or knowledge of negro punishments, become less sensitive to the sufferings of this despised and degraded class. The mind, accustomed to sights of wo, becomes gradually indurated, until treatment may be viewed as humane and indulgent, which would once have been contemplated with horror; especially when the sufferers are considered as a distinct and inferior race.

In most of the British Islands, the murder of a slave has by recent laws been declared a capital crime. In Barbadoes, however, their latest enactment on that subject is so cautiously expressed, as to furnish ground for doubt whether the murder of a slave there, can, even at this time, be visited with any greater punishment than a pecuniary fine. "If any person shall hereafter wilfully, maliciously, wantonly, and *without provocation*, kill and murder any slave, such person so killing and murdering, being duly convicted thereof, by the evidence of one or more *white* person or persons, shall suffer death." There are so many ways in which a slave may *provoke*, either by neglect or commission, his master or overseer, that few convictions, under this law, can be reasonably expected, even if the *legal proof* could be obtained; particularly as the jury, whose feelings are most likely to sympathize with the slaveholder than with the slave, must be judges of the *provocation* as well as the *murder*. The mutilation of a slave is punishable,

even in very atrocious cases, only by a small fine, and imprisonment of a very limited duration. In Barbadoes, it is questionable whether the mutilation of a slave by his owner would be punishable at all, or if inflicted on the slave of another, on any other ground than a civil suit for an injury done to property.

In the United States the all comprehending doctrine that the slave is the *property* of his master, joined to the general exclusion of negro testimony from our legal tribunals, must necessarily place the fate of the slave, almost entirely, within the power of his owner. The authority to punish, at discretion, the offences of the slave, seems naturally to result from the right of ownership; and any restriction on the exercise of that authority, may therefore be deemed a virtual denial or limitation of that all-absorbing right. At present, the wilful, malicious, and deliberate murder of a slave is *declared* a capital crime in every state of the Union. In some of them, however, this general provision is strangely modified. A law of North Carolina passed in 1798, enacts, "that if any person shall hereafter be guilty of wilfully and maliciously killing a slave, such offender shall be adjudged guilty of murder, and suffer the same punishment as if he had killed a freeman. Provided always this act shall not extend to the person killing a slave outlawed by virtue of any act of assembly of this state, or to any slave in the act of resistance to his lawful owner or master, or to any slave dying under *moderate* correction." A similar law and proviso exist in Louisiana. The constitution of Georgia contains a provision nearly similar, "Any person who shall maliciously dismember or

deprive a slave of life, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person, except in case of insurrection of such slave, and unless such death should happen by accident in giving such slave *moderate* correction.

Whatever credit we may accord to the humanity of the inhabitants of those states, it is difficult to resist the conclusion, that if slaves are never subjected to that most terrible of deaths, "dissection of the knotted scourge," they owe their exemption to some other cause than the protection of law. As a proclamation of outlawry against a slave is authorized, "whenever he runs away from his master, conceals himself in some obscure retreat, and, to sustain life, kills a hog or some animal of the cattle kind," and it has been judicially determined, that it is *justifiable* to kill a slave, *resisting*, or *offering to resist* his master by force, it is evident that the protection afforded by law to the life of a slave, is of a very slender or questionable character. If the law should be administered in the spirit which could suggest the belief that *moderate* correction could cause the *death* of a slave, the poor slave must look for protection, against the cruelty of his master, to some other quarter than the arm of the commonwealth.

In South Carolina the wilful murder of a slave, was, by a law of 1740, made punishable by a fine of seven hundred pounds, (3000 dollars,) and incapacity to hold any office within the colony: but the killing of a slave "on a sudden heat or passion, or by *undue correction*," was punishable with a fine of three hundred and fifty pounds. The former part of this law

was repealed in 1821, and the punishment of death prescribed as a substitute for the pecuniary fine; but the same law reduced the penalty in the latter case, to five hundred dollars, with an authorized imprisonment not exceeding six months. In the same state the barbarous mutilation of a slave, or the infliction of cruel punishment, *other than by whipping or beating with a horse whip, cowskin, switch or small stick, or by putting irons on or confining or imprisoning such slave* is prohibited under a penalty of one hundred pounds (\$4284.) Where such punishments are specifically admitted, what where the cruelties which the law was intended to redress?

In the new civil code of Louisiana, the general principle is enacted, "that the slave is entirely subject to the will of his master, who may correct and chastise him, though not with *unusual* rigour, nor so as to mutilate or maim him, or expose him to the danger of loss of life. If the *usual* rigour of this humane provision, is to be estimated by the law of South Carolina, above noticed, a law, by the way, which was in force in Louisiana at the time this code was adopted, surely the slave must be in a miserable situation to need the protection of such a law.

In the constitution of Mississippi, power is given to the general assembly to enact laws to oblige the owners of slaves to treat them with humanity—to abstain from all injuries to them extending to life and limb, or in case of neglect or refusal to comply with the direction of such laws, to have such slave or slaves sold for the benefit of the owners. Some essay has been made to carry into effect the design of the convention; but the laws hither-

to enacted, like most of the enactments directed to the same end, appear likely to present a feeble barrier against the excesses of magisterial authority. I do not find that any law has been passed, to authorize the release of slaves from merciless owners, by a judicial sale.

#### GEOGRAPHICAL SKETCHES OF AFRICA.

(Continued from page 21.)

##### EGYPT.

Egypt is the connecting link between Africa and the civilized world. This country consists entirely of a vale, watered by the Nile, by which it is in part formed; and confined on the right and left by a barren expanse of deserts. The physical picture of this country will, therefore, be introduced with an account of the Nile, whose bounties render Egypt independent of all foreign supplies and of the rains of heaven.

The Nile, the largest river of the old world, still conceals its true source from the research of science. At least, scarcely any thing more of them is known to us now, than was known in the time of Eratosthenes. That learned librarian of Alexandria distinguished three principal branches of the Nile. The most easterly was the Tacazze of the moderns, which flowed down the north side of the table lands of Abyssinia. The second known branch, or the Blue River, first makes a circuit on the table land of Abyssinia, and then flows down through the plains of Senaar, or the Fungi. The sources of the Blue River were found and described by the Jesuits, Paez and Tellez, two centuries before the pretended discoveries of Bruce. These two rivers are tributary to the White River, the Bahr-el-Abiad, which is the true Nile, and the sources of which must lie in the countries to the south of Darfur. The mountains from which it issues are called Dyre and Tegla, and probably form part of the mountains of the moon. As it seems proved that travellers have passed by water from Tombuctoo to Cairo, the Niger must fall into the Nile, and be really the Nile itself; or there must be intermediate

rivers, forming between the Nile and the Niger a communication resembling that which was found by Humboldt, between the Orinoco and the Amazon. The latter hypothesis is the only one which can reconcile the accounts of persons who have travelled by the way of Tombuctoo, with the positive testimony of Mr. Brown, according to which the Misselad and Bar Koolla run from south to north. This fact, which is generally admitted, does not allow us to suppose any other communication between the Nile and the Niger, than one which may be formed by canals winding along the table land where the sources of the Misselad and Bar Koolla are at a short distance from each other, and from those of the Nile. Perhaps some of our readers will content themselves with supposing that the sources of all these rivers, or some of their branches, are sufficiently near to communicate by means of temporary lakes during the rainy season.

The true Nile, whatever may be its origin, receives two large rivers from Abyssinia, and then forms an extensive circuit in the country of Dongola, by turning to the southwest. At three different places a barrier of mountains threatens to interrupt its course, and at each place the barrier is surmounted. The second cataract in Turkish Nubia is the most violent, and most unnavigable. The third is at Syene or Assouan and introduces the Nile into Upper Egypt. The height of this cataract varies according to the season, and is generally about four or five feet. From Syene to Cairo the river flows along a valley about eight miles broad, between two mountain ridges, one of which extends to the Red Sea; and the other terminates in the ancient Lybia. The mountains which limit the basin of the Nile in Upper Egypt, are intersected by defiles which on one side lead to the Red Sea, and on the other to the Oases. These narrow passes might be habitable, since the winter rains maintain for a time a degree of vegetation, and form springs which the Arabs use for themselves and their flocks. The stripe of desert land which generally extends along each side of the valley, parallel to the course of the Nile, (and which must

not be confounded with the barren ocean of sand which lies on each side of Egypt,) now contains two very distinct kinds of land. The one immediately at the bottom of the mountain consists of sand and round pebbles; the other composed of light drifting sands covers a space formerly arable. This space is gradually widening, by the encroachments of the moving sands. If a section of the valley is made by a plane perpendicular to its direction, the surface will be observed to decline from the margins of the river to the bottom of the hills, a circumstance also remarked on the banks of the Mississippi, the Po, part of the Borysthènes, and some other rivers.

Near Cairo, the chains which limit the valley of the Nile diverge on both sides. The one runs northwest towards the Mediterranean, the other east to Suez. In front of these chains a vast plain extends, composed of sands covered with the mud of the Nile. At the place called Batu-el-Bahara, the river divides into two branches; one of which flowing to Rosetta and the other to Damietta, contain between them the present Delta. This triangular piece of insulated land was in former times, larger than it is now, one, at least, of the channels by which it was formerly bounded being now choked up with sand or converted into marshy pools. But the correspondence of the level of the surface with that of the present Delta, and its depression as compared with that of the adjoining desert, together with its greater verdure and fertility, still mark the limits of the ancient Delta, although irregular encroachments are made by shifting banks of drifting sand, which are at present on the increase.

The depth and rapidity of the Nile differ in different places, and at different seasons of the year. In its ordinary state this river carries no vessels exceeding sixty tons burden, from its mouth to the cataracts. The bogaz, or channel, of Damietta is seven or eight feet deep, when the waters are low. That of Rosetta does not exceed four or five. When the waters are high, each of them has forty-one feet more, and caravels of twenty-four guns can sail up to Cairo. The navigation is facilitat-

ed in a singular degree during the floods; for while the stream carries the vessels from the cataracts to the bogaz with great rapidity, the strong northerly winds allow them to ascend the river, by means of set sails, with equal rapidity. These winds are constant for nine months\* in the year, and when the river is low, and the stream less rapid, vessels cannot often make their way downward, even with their sails furled, the wind upward being more powerful than the stream, even under these circumstances. The regular practice at such times is to row down with the stream during the night, when the wind has subsided, and to halt during the day: while the vessels that are upward bound, sail by day and halt by night.

The celebrated plains of Egypt would not be the abode of perpetual fertility, were it not for the swellings of the river, which both impart to them the requisite moisture and cover them with fertilizing mud. We now certainly know, what the ancients obscurely concluded, and what was asserted by Agatharcides, Diodorus, and others, that the heavy annual rains between the tropics are the cause of these floods, common to all the rivers of the torrid zone, and which, in low situations, such as Egypt, occasion inundations.

The rise of the Nile commences with the summer solstice. The river attains its greatest height at the autumnal equinox, continues stationary for some days, then diminishes at a less rapid rate than it rose. At the winter solstice it is very low, but some water still remains in the large canals. At this period the lands are put under culture. The soil is covered with a fresh layer of slime, of greater or less thickness. The fertility and general prosperity of Egypt depend much on a certain medium in the height to which the Nile rises in its inundations; too little rise or too much is almost equally hurtful. In September, 1818, M. Belzoni witnessed a deplorable scene, from the Nile having risen three feet and a half above the highest mark left

\* Bruce, quoted page 24 of this journal, says the etesian wind blows from the north from April to October.

by the former inundations. It was productive of one of the greatest calamities that had occurred within the memory of any one living. Rising with uncommon rapidity, it carried off several villages and some hundreds of its inhabitants. In Upper Egypt, the villages are not raised above the level even of the ordinary inundations, but depend for their safety upon artificial fences. When a village is in danger, the boats are busily employed in removing the corn and the people, the former being first attended to, as most important to the Pasha; and if the water breaks in before the inhabitants have been placed in security, their only resource is to climb the palm trees and there wait till a boat comes to their rescue. Those who have it in their power repair with their property to higher ground, others escape mounted on buffaloes or cows, or keep themselves afloat on logs of wood.

To an atmosphere singularly constituted, and to the regular inundations of the Nile, Egypt is indebted for the advantage which it enjoys of uniting almost all the cultivated vegetable species of the old continent. The culture of Egypt may be divided into two great classes. The one class belongs to the lands watered by the natural overflowings of the Nile, and the other to those which the inundation does not reach, and which are supplied by artificial irrigations. Excepting along the sea shore, nothing is more rare in Egypt than rains, and this scarcity is the more marked in proportion as we go southward. At Cairo there are, at an average, four or five showers in the year; in Upper Egypt one or two at most.

From the nature of the surface and the universal aridity of the surrounding deserts, Egypt is much hotter than most other countries under the same parallel of latitude. The heated and rarefied state of that portion of air which is in immediate contact with the sand during the day, is productive of a refraction of the rays of light, giving origin to the surprising appearance called the *mirage*, presenting on the dry surface an exact representation of a lake of water, sometimes ruffled into waves, at other times still and smooth, and appearing to reflect, like

a mirror, the houses and other objects situated beyond it.\* This phenomenon is the more striking, as water is generally much in request with the thirsty traveller, in a country where it is so scanty, and when the illusion vanishes, upon his arriving at the spot, he feels a cruel disappointment, especially if not much used to the phenomenon.

#### ON SLAVERY.

(Continued from page 60.)

In this, and in the new states in general, the decrease of the white race is not so obvious as in the old. Nay, it may be conceded that the whites, at the first settling, multiply equally with the blacks; or (for I am willing to allow the most remote possibilities) that they increase faster by the assistance of slaves, than they would without them. But this their growth is temporary, and declines as the country fills

\* This curious phenomenon arises from the atmosphere, in the immediate vicinity of the earth, becoming momentarily more rarefied than that at a greater elevation, by which means the rays of light which pass over the earth in a direction nearly horizontal, are refracted into a curve convex to the earth's surface, and falling upon the eye in an ascending direction, give to distant elevated objects an apparently depressed situation. An inverted image is frequently thus formed, either with or without the *visible* presence of the direct object. Humboldt observes, "These phenomena are equally observable in the barren steppes of Caracas, and on the borders of the Orinoco, in those places where barren plains surround the river."—"At the Mesa de Pavones, in the middle of the steppe of Caracas, M. Bonpland and I saw cows" (apparently) "suspended in the air. Distance one thousand toises. Simple suspension, no double image. I have been assured, that horses had been seen, near Calabozo, suspended and inverted, without any direct image." The theory has been given by Monge and Biot. Recher. sur Ref. extr. Humboldt's Narrative, Vol. 3.

up. In this state marriages are less frequent than formerly. In Virginia, the numerous instances of celibacy strike the most cursory observer. On the plantation next to mine, lived four sons and two daughters. The young men died by the bottle: ten years ago, one sickly child, probably since dead, continued the name. One daughter had two children: the other is past matrimony.—Another instance presents itself:—Three sons, two daughters; only one of the latter married, late in life. A third instance:—Two sons, five daughters; two of the latter married—the rest dead, or advanced in years. A fourth:—Six sons and daughters; all unmarried; the youngest over forty years old.—The reader who has resided long in an old slave state, is desired to task his memory on this subject; nor will I fear to appeal to his recollections for the confirmation of my theory. Indeed, in every country the poor must increase, and fill up the places of the declining rich. The peers in England are continually receiving recruits from the commons; otherwise their remains would be too contemptible for notice. And yet these remains are assisted by adoption. The Percies still boast their descent although the male line has been long since extinct, and those now called after the family are beholden to act of parliament for their name. Every year witnesses in the upper house the accession of new families, and the extinction of the ancient. The labour of keeping up the nobility, is incessant as fruitless. The House of Lords has been called an hospital of incurables; the metaphor holds good in more than one sense. The human race, when pampered, declines; but, like some plants, the more trampled, the more vigorous its growth. “One reason,” says the *Edinburg Review*, of August 1820, “for the disproportionate increase of Catholics, compared to that of Protestants, in Ireland, is that the Catholic is ready to marry upon means which the Protestant considers insufficient for marriage. A few potatoes, and a shed of turf, are all that Luther has left to the Romanist; and when the latter gets them, he begins instantly upon the great Irish manufacture of children. But the Protestant belongs

to the sect that eats the fine flour, and leaves the bran to others: he must have comforts, and he does not marry till he gets them. He would be ashamed if he was seen living as a Catholic lives. This is a principal reason why the Protestants who remain attached to their church, do not increase as fast as the Catholics.”

Hume (essay 11th) observes:—“Where the property of servants is lodged in the master, their marriage forms his riches, and brings a succession that supplies the place of those disabled by age and infirmity. He encourages, therefore, their propagation, as that of his cattle; rears the young with the same care; and educates them to some art or calling which may render them useful or valuable to him. The opulent are, by this policy, interested in the being, at least, though not in the well being of the poor; and enrich themselves by increasing the number and industry of those who are subjected to them.”

The essayist afterwards notices the exception to this rule; i. e. when slaves can be bought cheaper than reared—a contingency, which, happily for the negroes, though unhappily for their masters, exists not among us.

See on this subject the *Dictionnaire des Sciences Medicales*:—“But a small number of marriages take place among proprietors, and those persons whose employment or profession is equal to a property; while the same number constantly follow among the working classes, and among those who possess nothing. I believe that hardly one marriage in twenty at the utmost, happens in the class that possesses something in France. But why do I say France? 'Tis so in the rest of Europe. The upper class dread the luxury of a wife, and the expense of children; while the inferior class, who live but from one day to another, are always assured of bequeathing, at the worst, to their posterity, the resources of public charity, which they consider as inexhaustible.”—*Article ‘Mendicite,’* page 346.

Shall I add to these, a quotation from an old fashioned author, pointing out the probable consequences of raising such a population?—“The proprietors and their children become fec-



ble both in body and mind, slothful, and unable to resist either pain or pleasure. Thus degraded, these governors view their subjects with dread; while those subjects—sturdy, active, sunburnt, and poor—view with contempt their superiors nourished in the shade, unwieldy, shortbreathed, and helpless; and, naturally inferring that their own cowardice alone is the safety of the rich, encourage each other in private with the consideration, that their masters are, compared with themselves, as nothing.”—*Plato de Repub. lib. 8.*

The foregoing extracts may serve for a reply to the theory of an ingenious and highly respected friend; who is of opinion, that, when the country becomes fully peopled, the weakest race must give way to the more powerful, and in due time be rooted out. The ground not producing enough for those who are multiplying upon it, the whites will appropriate to themselves their full share; and the negroes obtaining less, must decrease.—Nothing like this, however, has taken place in Ireland. The Protestant, defended by arms, by arts, and by the laws, is daily diminishing before his helpless opponent. The white, like the Protestant, will obtain his share of food; but, like the Protestant, he will not be satisfied with food alone: he must have superfluities; and when he cannot obtain these, he will refuse to marry; and the race will perish, not because he lacks the means of tearing substance from the slave, but because he dares not to re-produce his kind in a situation where they may expect to find food, and food alone.

The same causes existing in these states, must produce the same effects as elsewhere: and these new countries now settled by whites, must replace them by negroes.—Then the same assistance once afforded, must not be again looked for, by Lower Virginia from Albemarle and Augusta, nor by New Orleans from Tennessee and Kentucky. Thirty or forty years, and not more, may be required to produce ocular demonstration of my assertion. By that time, these countries will be as deeply blackened, as those which formerly invoked their aid; and consequently will be as helpless. For

proportionally to the number of negroes, is the weakness of a country.—Hence, the West Indian trembles at the approach of every hostile fleet. Let us not estimate the proportion of negroes to whites, by counting the inhabitants of the free, along with the white residents of the slave states. The true mode of judging, is by comparing the number of slaves, with those whites immediately among them.—So long as these last are strong enough to prevent a general massacre, they are safe, and no longer. When that takes place, 'twill be too late to offer assistance. Estimate then your danger by the number of slaves opposed to their masters. Hitherto, calculation has not demonstrated the power of this growing evil; because the new countries have afforded ample means of subsistence and increase to the whites—and along with them, or by purchase, a vast number of slaves have been removed.—But the new lands, however extensive, have their bound; and when that is reached, statistical tables may afford information on the subject;—not before. But that information will come too late. The mischief, if not prevented immediately, will be irremediable. As yet, we can only have partial observation to trust to; and that is completely in my favour. (*See Appendix.*)

Even in our state, the engrossing of land and the replacing the white freeholder by negroes, has begun. Nor can it be otherwise. The man who owns negroes, sees them increase; and he must find them land to cultivate. His neighbours are straitened by enclosures; they cannot live on their little farms; they offer them for sale; and he is obliged to buy them out, that he may furnish employment to his growing stock of negroes. To cultivate by hiring freemen, in a slave state, is out of the question. Let me not then be considered as blaming the slaveholder for his conduct: it is forced upon him by the wretched system under which it is his misfortune to live. Even supposing the poor white retains his little property during life; yet at his decease it must go; it is too small to support all his children; 'tis sold, and the proceeds divided amongst them; and, as their class entitles them

to associate with gentlemen, they must not labour, except upon their own ground, under penalty of degrading themselves to a level with the negro. The consequences I have already pointed out. Still, with the growth of negroes, the difficulties of marriage among the whites increase; the greater number of slaves being required as decent attendance upon the family. The checks to matrimony augment precisely in proportion as the greater number of negroes annexes greater value to the remaining whites. Thus these checks exist in their worst state in the West Indies.—There a poor white is the object of contempt to the negro, who speaks with a sneer when he mentions a *walk about Bukra*; i. e. a white man on foot. Hence in that country the offspring of the poor, generally, are sunk into mulattoes.

We are approaching but too rapidly to this situation. Young as is this state, the checks of matrimony are felt, as the numerous instances of celibacy may attest. It is by no means uncommon to hear a girl, destitute of a single negro, express her sentiments as to the number of servants a husband ought to support for his wife.—Can we then wonder at our young men holding back? They have a grade to keep up to, their sinking from which would debase them. Contrast with their's the situation of the negro. Reduced to that of a brute, is it any wonder if he propagates as fearlessly? He knows well that his abstinence from matrimony would not better his condition, and that his master must support all the increase. Contrast the situation of the poor white in time of sickness, with that of the black. The former, after exhausting his little means, becomes indebted to the charity of his neighbours, which grows cold after expending a bottle of wine and a few ounces of bark. Not so the negro: there is five hundred dollars vested in him; and the master will rather spend three hundred than lose the whole. The diseases of the negro are fewer, poverty precluding intemperance; and though, in consequence of hard labour, his evening of life sinks earlier than that of the white, yet he has, long before, produced as numerous a progeny as if he had reached a

decrepid old age: and this seems to be the highest hope of the master; the increase of this unhappy race, being his favourite object, and which, from the nature of things, must and will be encouraged.—They are property. Why, said a friend, when he heard I was removing to Kentucky, do you not take out some breeding wenches? Their expenses in a new country would be nothing, and a few years would give you a large stock of negroes. Can we, after this, be surprised if the negroes increase faster than the whites?

Could we become acquainted with a man who had laid down a plan for rooting out the white race, I am at a loss what punishment we should deem adequate to his villany. Could we consult the bitterest enemy of America (suppose an English or French prime minister to be such) on this topic, he would declare warmly for the right of slaveholding. This extensive country, would he say, settled by white men, may one day prove our scourge, perhaps by arms, certainly by example. But intermixed with a proportion of blacks, they will have enough to do at home, without troubling their neighbours: Nay, in process of time, the disproportionate increase of the negroes may enable the latter to dispute the soil with their masters; and we may behold black envoys from America, sent to invoke our assistance against the tyranny of our sometime colony. A precedent exists in St. Domingo; and the Americans must not be surprised if European policy avails itself of every opportunity that occurs for dividing their tremendous power. And bitterly would the wily politician regret that the line of demarcation had secured to America a body of men fearless of negro insurrections, disengaged from the drudgery of patrols, and perfectly ready to oppose their whole united force to the movements of Russia from the northwest. Perhaps the minister might plead his excuse as a politician. But what excuse can be made for the slaveholder? And in what differs he from the first mentioned atrocious character? Merely in this, that he is only intent on gain, and is not generally aware of the consequences of his conduct. I say, gene-

rally—for I have sometimes met with men, if such deserved the name, who frankly declared that they cared not what became of posterity; it was the business of posterity to take care of itself; and that they regarded not what was to happen in the next generation. Upon such, my arguments have no effect, and ought not to have any. If it is sufficient to enjoy the present moment the slaveholder is in the right. Let his selfishness repose in quiet upon the mind, where the charge is daily accumulating, which must one day blow his posterity to atoms—perfectly happy in the reflection that the explosion cannot take place in his time. But the man who nourishes in his bosom the noble sentiment addressed by the dying patriot to his country, ESTO PERPETUA, thinks differently. He fondly wishes to transmit his enjoyments to his children, in the hope that they are not only to preserve, but to augment his bequest. But these hopes are crushed wherever slaves are found: for there they must increase.

(To be continued.)

#### CIRCUMSTANCE AT ROUKA IN BORNEO.

A circumstance happened, during the last two days, which created a great sensation among the chiefs, and while it proved that absolute power in the person of the Sheikh was not unaccompanied by a heart overflowing with feelings of mercy and moderation, it also displayed many amiable qualities in his untutored and unenlightened subjects.

Barca Gana, his general and his favourite, a governor of six large districts, the man whom he delighted to honour, who had more than fifty female slaves, and twice the number of male, was taught a lesson of humility, that made me feel exceedingly for him. In giving presents to the chiefs, the Sheikh had inadvertently sent him a horse, which he had previously promised to another; and on Barca Gana being requested to give it up, he took such great offence, that he sent back all the horses which the Sheikh had previously given him, saying that he would in future walk, or ride on his

own. On this the Sheikh immediately sent for him, had him stripped in his presence, and the leather girdle put round his loins; and after reproaching him for his ingratitude, ordered him to be sold forthwith to the Sibboo merchants, he being still a slave. The favourite, thus humbled and disgraced, fell on his knees and acknowledged the justness of his punishment. He begged for no forgiveness for himself, but entreated that his wives and children might be provided for out of the riches of his master's bounty. But on the following day, when preparations were made for carrying this sentence into effect, the Kayanahia (black mame-lukes) and Shonaa chiefs about the Sheikh's person, fell at his feet, and notwithstanding Barca Gana's haughty carriage toward them since his advancement, entreated, to a man, pardon for his offences, and that he might be restored to favour. The culprit appearing at this moment to take leave, the Sheikh threw himself back off his carpet, wept like a child, and suffered Barca Gana, who had kept close to him, to embrace his knees, and calling them all his sons, pardoned his repentant slave. No prince of the most civilized nation can be better loved by his subjects than this chief; and he is a most extraordinary instance, in the eastern world, of fearless bravery, virtue and simplicity. In the evening, there was a great and general rejoicing; and Barca Gana, in new robes and a rich bornouse, rode round the camp, followed by all the chiefs of the army.—*Travels of Denham and Clapperton.*

#### HISTORY OF SLAVERY.

As maxims which have received the sanction of several successive generations, are frequently admitted with little examination; so practices which can be traced through every period of history, are sometimes considered as the necessary result of our physical or moral organization. It is probable that few opinions are long admitted, or extensively diffused, which have no analogy to truth; and that few practi-

ces become woven into the texture of society, unless closely allied with the wants or propensities of man. It is certain, however, that the institutions of society, and the maxims of government, are more dependent upon the characters of the people, than upon their intrinsic conformity to justice or to truth.

If the existence of an institution, through a long succession of ages, could be admitted as evidence of its justice or expediency, perhaps the slavery of the present day might find, in the conduct of those who lived before us, some kind of justification. This, like every other institution of human society, must vary its shades, with the changing condition and character of the people; yet in this, as in many other cases, causes and effects are reciprocal. The characters of the people are, in great measure, moulded by the maxims and institutions of society. Among a barbarous people, practices spring up which could never originate in the midst of improved and enlightened communities, but which, when once established, are hard to eradicate, and often continue, the tares and brambles, of highly civilized society. To this cause may be traced the irreconcilable anomalies, with which the laws and usages of the most polished communities are so frequently marked; and which not only bear in their features the lineaments of their birth, but tend to perpetuate the barbarism in which they originated.

In studying the history of *slavery*, as it existed among the nations of antiquity, we must reflect that conditions essentially different, are often expressed by a common appellation—and that a definition drawn from the principles

and practice of our own age and country, would seldom be correct if applied to the ages and nations under review.

In what period of the existence of our race, man first instituted a claim to the unrequited services of his fellow man, is not easily determined;—or whether personal slavery constituted a part of the violence with which the antediluvian world was filled.\* Probably, personal servitude followed close in the steps of those mighty hunters, who in the primitive ages, deluged the earth with blood. The earliest trace of its existence, is associated with the first military enterprise which history has recorded. Gen. xiv. This, however, was evidently a national, rather than a personal bondage.

That a species of slavery existed during the patriarchal ages, is obvious from the history of Abraham, though unquestionably mollified by the simplicity of the times. If we suppose the men servants and maid servants whom Abraham possessed, to have been slaves, bought from his neighbours, or the descendants of slaves, born in his own house, and held in servitude from hereditary right, we must admit that they were subject to a patriarchal, rather than a magisterial authority. Of these, the first that attracts our notice was Eleazar of Damascus, whom Abraham considered for a time as his heir, Gen. xv. 2, 3. If this Eleazar was, as generally supposed, the servant whom Abraham employed to procure a wife for his son, he

\* Slavery, says the learned Horne, vol. III, pa. 419, 'is of very remote antiquity. It existed before the flood. Gen. ix, 25. The passage, however, does not appear to me to sustain the conclusion,

must, in station and authority, have been subordinate to none but the master of the family.—Even Isaac himself, at the age of forty must have been subject to his direction. Gen. xxiv. 5, 6, 8. That not only the eldest servant that ruled over all that he had, but his servants generally, were treated with a degree of confidence, to which the slavery of our day affords but few parallels, may be inferred from the alacrity with which they pursued and defeated the plunderers of Sodom. That they were parties to the same covenant, and votaries to the same religion with their master, is also abundantly manifest. Gen xvii. 26, 27.

We are expressly informed that Abraham's servants were born in his house or bought with money of the stranger, but by what means, or under what circumstances, they were rendered objects of sale, is left unexplained. That captivity in war was, in subsequent ages, the most prolific source of slavery, appears probable from the nature of the case, and this opinion is confirmed by the direct testimony of Herodotus and others. In the patriarchal times, when detached families migrated from place to place, as convenience or fancy might suggest, subject to no municipal regulations, and bound by no political ties, the authority of fathers and masters could not be strictly defined. In both it was probably the result of general consent, rather than specific regulation. That the parental authority was understood to extend to the life of the child, either in the punishment of crimes, or the exercise of arbitrary power, appears obvious, from the sentence passed upon Tamar by her father-in-law, (Gen. xxxviii. 24,) and the proposal of

Reuben, to make the lives of his sons the forfeiture, in case he should fail to fulfil his engagement. (xlii. 37.) The facility with which the sale of Joseph was effected, seems to authorize the conclusion that a traffic in the persons of men was not then new, and that little inquiry was made with regard to the authority of the sellers. The subsequent part of his history likewise demonstrates that the slavery of that day opposed no insuperable barriers to the attainment of eminence and power. Even in the family of the master who bought him, he occupied, not a servile but a highly confidential station. Anterior to the time of Moses, when the institution of slavery was brought under specific regulations, the servant, whether purchased or domestic, appears as a part of the patriarchal household, equally with the sons an object of religious care. (Gen. xviii. 19; xxxv. 2, 3.)

The servitude to which the descendants of Jacob were subjected during their residence in Egypt, however severe and degrading, must have been of a national, rather than a personal, character. The right of private property and the maintenance of their religion and laws, do not appear to have been further invaded by their Egyptian lords, than by the rigorous exactment of their unrequited labour. In what manner these burdens were imposed upon the Israelites is not clearly explained, though from their undisturbed possession of the most fruitful part of the land, and the numerous flocks and herds which they held, we may safely conclude that a large part of their labour must have been of the agricultural and pastoral kind, and probably applied to their own exclusive benefit. The servile

labours were, expressly, those which required the persons engaged in them to be separated from their families and farms; and hence we may conclude that a levy was made from among the Hebrew men, who were employed in the manufacture of bricks and the erection of the cities which Pharaoh required them to build. A levy or tribute of men, though probably much less severe, was afterwards made in the time of Solomon, when engaged in the magnificent structures which distinguished his reign. (1 Kings, v. 13, 14.) Here we may observe that these drafts of men from the Hebrew families, would naturally subject the women to a larger portion of the labour usually performed by the other sex, than would otherwise have fallen to their share, and hence their superior hardihood, and the consequent rapidity of national increase, may be naturally and satisfactorily explained in strict accordance with the text, the more they afflicted them, the more they multiplied and grew.

From this view of the subject, we should naturally conclude that the Egyptian bondage, though severely and justly reprobated by the sacred historian, was clear of most of those accompaniments which give to the personal slavery of subsequent ages its most repulsive character. The barbarous order for the destruction of the male children was not the exercise of a master's authority, but a political expedient adopted by an unprincipled tyrant, to keep down a population, which he considered as dangerous to the state.\*

\* How long this was attempted is left unnoticed, but the unparalleled increase of the people, and the great number of men able to bear arms, at

The Mosaic institutions in relation to servants, though formed and promulgated during their journeyings through the Arabian deserts, were obviously designed to apply to the Israelites when settled in the promised land; and therefore to that period of their history, and not to the time when the laws were promulgated, are we to look for their illustration.

From the general character of the law of Moses, and the terms in which they are expressed, it is obvious that his object was not the *establishment* of a system of servitude, but the regulation and mitigation of a previously existing institution. And we must not forget that his regulations, on this subject, were to be observed in

the time of their egress from their Egyptian bondage, are conclusive testimonies that the order was of transient continuance or but very partially executed. Admitting the usual chronology, which is confirmed by Josephus, two hundred and fifteen years elapsed between the immigration of Jacob and the departure of his descendants. A duplication in fourteen years would in that time raise his progeny to about 2,294,000 persons. The number of men able to bear arms whom Moses led out of Egypt, exclusive of the tribe of Levi, was 603,550. Now in the state of Pennsylvania, in 1820, out of a population of 1,037,860, only 199,694 were males between 16 and 45, or not quite one in five. Allowing one in five to be included in the Israelitish enumeration, we shall have the whole population 3,017,750 individuals. This number is probably too low; for we may reflect that in a community where the increase was so rapid, there must have been an unusual proportion of children. It therefore appears that the duplication was effected in a time still less than fourteen years. This falls sensibly below the time which some political economists have admitted as the shortest possible period of duplication.

connexion with the other precepts of the law, and hence the authority of masters was designed to be exercised under a just sense of religious responsibility.

Though a careless perusal of the Israelitish history, might induce a belief that the ancient inhabitants of Palestine were wholly exterminated, a careful examination leads to a different conclusion. That they were generally subdued, their national polity destroyed, and their land divided among their Israelitish conquerors, appears evident; but that the people, in great numbers, remained, is equally certain. (Judges chap. i, ii, iii.) The *utter destruction*, frequently mentioned, appears to have applied, rather to the fortresses and armies, than to the people at large. Thus Saul stated to Samuel that he had utterly destroyed the Amalekites, yet we afterwards find the Amalekites burning Ziklag. The slaughter made by David among these invaders, suggests the idea, that their number was very considerable. We meet with them again in the days of Hezekiah. (1 Chron. iv. 43.) The land of Canaan being, in the time of Joshua, divided among the descendants of Jacob, and the several allotments rendered unalienable in the families to which they were assigned, the holders were considered as the proper inhabitants of the land, and the remnant of the former possessors were denominated *strangers*. Thus, 1 Chron. xxii. 2, David collected all the strangers that were in the land, and set masons to hew wrought stones to build the house of God; and Solomon, (1 Kings ix. 20, 21) levied a tribute of bondservice upon the descendants of the ancient inhabitants, and again, (2 Chron. ii. 17, 18,) he is said

to have numbered the strangers, and found them to be 153600; to whom he assigned their respective services in the preparations for the temple. These passages in the history of Solomon, probably refer to the same transaction, and express the number, not of the strangers within the land, but of the *men* included in the levy, and engaged in his service. The young man who brought word of the death of Saul, announced himself to David as the son of a stranger, an Amalekite. These strangers being incapable of holding any part of the land, would naturally apply to mechanical pursuits and hence become generally inhabitants of cities. Those cities being mostly walled, the strangers resident within them were termed, *strangers within the gates*. The strangers were early subjected to tribute, (Judg. i. 28, 30, 33,) but not to personal slavery. The Gibeonites, who obtained by artifice a treaty with Joshua, are, by some, supposed to have been enslaved as a punishment for their deceit; but the narrative does not support the conclusion. The sentence, "None of you shall be freed from being bondmen,\* and hewers of wood and drawers of water for the house of my God," indicates a servitude of a much less degrading character, than what is implied by modern slavery. It is added, that "Joshua made them *that day*, hewers of wood and drawers of water for the congregation, and for the altar of the Lord," and yet we immediately

\* It may be observed that the Hebrew word *Naved*, here translated bondmen, is the same that is applied in other places to denote subjects; as who is so faithful among all thy servants as David, which is the king's son-in-law. It is even applied to Moses, the *servant* of the Lord.

afterwards find the Gibeonites attacked in *their own city*, by the neighbouring tribes, and successfully applying to Joshua for protection from the impending destruction. It may be asked, what was the meaning of the declaration above recited? Plainly this, they were deprived of their political independence, and were required to furnish such quota of men for the services above mentioned, as their Hebrew rulers might demand.\* But to conclude that the persons thus employed were compelled to render their services without remuneration, would be unwarranted, since such a procedure would be incompatible with the precepts of the Mosaic law, to which no doubt Joshua at least strictly adhered. "Thou shalt neither vex a stranger or oppress him." The cause of the *stranger*, the fatherless and the widow, is frequently urged upon the Hebrew nation, by the most impressive of appeals, a recurrence to their own bitter experience.

Among the Israelites, servants are frequently spoken of under different appellations. Those of hired servants and purchased servants. As the former were unquestionably free, in the modern sense of the word, no other notice of them will be taken, than just to observe, that though they might not be treated with the rigour of a purchased servant, they appear to have been less esteemed, and excluded from the privileges of the purchased class. They were not allowed to

\* This construction is confirmed by the Hebrew reading of the text. The word translated *freed* signifies cut off or separated: none of you shall be legally cut off or removed from that class out of whom those offices shall be supplied.

participate in the paschal supper, though the purchased were. (Exod. xii. 44, 45. Lev. xxii. 10, 11.)

Purchased servitude among the Israelites, was either voluntary, like hired service, or imposed by parental authority, or, by judicial sentence, as a punishment for crimes.

Voluntary sale appears to have been sometimes resorted to as a refuge from poverty and distress. Thus, (Lev. xxv. 47,) If a stranger or a sojourner wax rich by thee, and thy brother that dwelleth by him, wax poor, and sell *himself* unto the stranger or sojourner by thee, &c. Sales by parental authority are recognized, in Exodus xxi. 7. If a man sell his daughter to be a bondmaid, &c. The servitude, however, in this case, appears, according to the Jewish construction, to have been of a very limited duration, as boys were to be free at thirteen and girls at twelve, beyond which period the authority of the father did not extend.

Sales appear to have been sometimes made, in consequence of insolvency, to satisfy the claims of their own or father's creditors. This would appear to be referred to in the passage, Lev. xxv. 39. If thy brother that dwelleth by thee, be waxen poor, and sold unto thee; thou shalt not compel him to serve as a bond-servant. And, 2 Kings iv. 1, My husband is dead, and the creditor is come to take my two sons to be bondmen. And after the return of the Jews from the Babylonish captivity, some of them complained that they were compelled to reduce their sons and daughters into bondage because of their debts; and other men having their lands and vineyards, it was not in their power to redeem them. Neh. v. 5.



Persons convicted of theft, were, by the Mosaic law, required not only to make restitution of the articles purloined, but restore them in some cases five-fold. Thus if an ox or sheep was stolen, and killed or sold, five oxen were to be repaid for an ox and four sheep for a sheep (Ex. xxii. 1.) If found in his hand the restitution was twofold. But in case he had not property to pay the forfeiture, he was sentenced to be sold for the theft.

Another source of servitude was war; but this appears rather as a favour than a punishment; for when the male inhabitants of a city were destroyed in war, the Hebrew victors were permitted, if not enjoined, to take the females into their families as handmaids. The conquerors were thus constituted their legal protectors, and required to treat them with the humanity, so strongly and frequently enjoined by the Mosaic precepts.

Children, at the time of whose birth, their mothers were in a state of bondage, were partakers of their lot; that is the children remained in the service of the master, till they attained the ages of thirteen or twelve, according to the sex, at which time, the mother and children were free. Thus the master was required to provide for his handmaids and their children, till they attained an age deemed adequate to their own support.

A source of slavery, which both among the ancients and moderns, has been extremely prolific, was, among the Hebrews, severely proscribed. He that stealeth a man and selleth him, or if he be found in his hand, he shall surely be put to death. Exod. xxi. 16. And again, if a man be found stealing any of his brethren, of the children of Israel, and maketh mer-

chandise of him, or selleth him, then that thief shall die, and thou shalt put away evil from among you. Deut. xxiv. 7.

These laws are explained by the Mishnic doctors, in such a sense, as to give the prohibition its utmost effect. Thus *brethren of the children of Israel*, according to them, means Israelites or Jewish proselytes of every age or either sex. And making merchandise and selling, signifies using a man against his will as if lawfully purchased; even though the service exacted should be of the most trivial character, and during a very short time. Not only the *stealer* but the *holder* of a person stolen, was punishable with death.

The most important feature of the Mosaic law, in relation to slavery, was its *limited duration*. No sanction is afforded by any precept of that law, to perpetual and hereditary servitude.

To set this subject in its proper light, I shall cite a part of the law, which bears most directly on this subject.

If thy brother that dwelleth by thee be waxen poor, and be sold unto thee; thou shalt not compel him to serve as a bond servant; but as an hired servant, and as a sojourner shall he be with thee, and shall serve thee unto the year of jubilee; and then shall he depart from thee, both he and his children with him, and shall return unto his own family, and unto the possession of his fathers shall he return: They shall not be *sold* as bondmen. Both thy bondmen, and thy bondmaids, which thou shalt have, shall be of the heathen that are round about you, of them shall ye *buy* bondmen and bondmaids. Moreover of the children of the strangers, that sojourn

among you, of them shall ye buy, and of their families that are with you, and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession, they shall be your bondmen forever: but over your brethren the children of Israel, ye shall not rule over one another with rigour. And if a sojourner or a stranger wax rich by thee, and thy brother that dwelleth by him wax poor, and sell himself unto the stranger or sojourner: After he is sold he may be redeemed again, one of his brethren may redeem him; or if he be able, he may redeem himself. He shall reckon with him that bought him, from the year that he was sold unto him, unto the year of jubilee; and the price of his sale shall be according to the number of years, according to the time of an hired servant shall it be with him. As a yearly hired servant shall he be with him; and the other shall not rule with rigour over him in thy sight. And if he be not redeemed in these years, then he shall go out in the year of jubilee; both he and his children with him. Levit. xxv. 39—54.

These passages, to be properly understood, must be taken in connexion with other parts of the law. In the first place we must observe, that these precepts are rather prohibitory than authoritative; that they serve to limit rather than to support the authority of masters over their purchased servants. No obligation to purchase a brother, or to permit his sale to a stranger, can be implied. A sale is supposed to have occurred, and to that contingency the rule is adapted.

In the second place, the expression *forever* is frequently used in a limited sense. Thus, Joshua is said to have

made Ai an heap forever; and it was said there should not be an old man in Eli's house *forever*; also Jonah declares, "the earth with her bars *was* about me forever." When Moses designed to establish a permanent ordinance, he usually added *throughout your generations*. If in this case a permission only was given, and a limit implied which the text does not clearly define; let us look for an explanation to other positive precepts of the law: Ye shall hallow the fiftieth year, and proclaim liberty throughout all the land, to *all the inhabitants* thereof: it shall be a jubilee unto you; and ye shall return every man to his possession, and ye shall return every man to his family. (Levit. xxv. 10.) But in the case of an Hebrew servant, we have a still narrower limit, for in this case the service is limited to six years; and in the sabbatical year, the Hebrew servant was not only to go out free, but to be liberally supplied from the flock the floor and the wine press of the master. (Deut. xv. 12, 13; Ex. xxi. 2.) If the servant brought a wife with him, she also was to be free in the sabbatical year. If he had been married, during his servitude, to a servant of his master who was not entitled to her liberty in the sabbatical year, the *marriage* gave her no title to her freedom. Under these circumstances, it is not surprising that under a mild administration, with the privileges frequently enjoyed, the servant should sometimes prefer a continuance with the family in which he had been settled. Hence the provision, that, upon such declaration being solemnly made, his ear should be bored,\* in the presence of

\* The practice of boring the ears of servants was not peculiar to the Israelites. It was an ancient custom in the

the judges, and his privilege of freedom in the sabbatical year be withheld. Still the general law, of liberty in the year of jubilee, would reach the bored servant in common with the other branches of his family. (Josephus Ant. Book iv. ch. 8, sect. 28.) It therefore appears, that the servants of their brethren, including proselytes as well as Hebrews, were to be treated rather as freemen than as slaves, and at furthest to be free in the year of jubilee; that such of them as should be sold to the strangers residing among them, were redeemable at any time, between the time of sale and the year of jubilee. But that the strangers, whom the Israelites should purchase, were liable to be held, without the privilege of redemption, until the jubilene year.

It may be fairly inferred, not only from the unqualified injunction to proclaim a general emancipation in the year of jubilee, but from the text in relation to the heathen bondmen, that perpetual and hereditary bondage was not designed to be tolerated. For no intimation is here given of any right except what should be procured by purchase; those whom they should buy, not those whose parents had been bought, were to be held as a possession. Had an hereditary slavery

east. To this Juvenal refers, when he makes a freedman say,

Though born a slave, ('twere bootless to deny  
What these bored ears betray to every eye.)

An expression of Cicero is also noticed, in which he tells a Lybian who pretended he did not hear him, it was because his ears were not sufficiently *bored*. The meaning, if meaning it had, would seem to be to indicate that the ears were to be always open or attentive to the directions of the master.

been intended, the general precept must have been modified, and no doubt, the usual expression, *throughout your generations*, or some other equivalent phrase, have been appended to the grant. The term *forever* may be construed as indicative of the perpetuity of the practice, or that of such they should continue to *buy*, during their own national existence; but not that the servitude should be perpetuated in the person or descendants of the individual purchased.

As the Israelites were liable to be sold only in consequence of poverty, for crimes which could subject them to this fate might be commuted for money, it is not likely any of them would be exposed to sale, either to their brethren or to strangers, until their lands were alienated. These alienations, except in the case of houses within the cities, were not perpetual, but in the year of jubilee returned to their former proprietors. (Lev. xxv. 23, 28.) Hence we may discern the reason, why, until that time, the reversionary proprietor might prefer the service of a wealthy master to a houseless liberty. In the time of Jeremiah we find, amongst the corruptions of the age, a disregard to the injunctions of Moses relative to the emancipation of servants, presented in glaring colours, and assigned as one of the principal causes of the impending judgments. (Jer. xxxiv.)

In the foregoing quotation, it is observable that the servants purchased from among the strangers are to be taken as an inheritance to the children of the purchasers, but no such provision appears in the case of the Hebrew servant. This is said to be construed by the Jewish doctors as excluding

daughters and other heirs except sons from any claim to the services of those Hebrew servants whom their fathers had purchased. Hence upon the death of a master, without surviving sons, his Hebrew servants were immediately free.

The general tendency as well as particular provisions of the Mosaic institutions, was in favour of personal freedom. The servants purchased from the heathen were to be instructed in the religion and made partakers of the covenants of their Israelitish masters. Those who embraced this religion became Hebrews by adoption, and entitled to the privileges of servants of the native class. The Jewish commentators say that if they were not converted within a year, they were to be dismissed, and returned to the strangers from whence they came. This may probably have been only upon condition that their purchase money was repaid, and that if this was not done, they were bound to fulfil their term of service; that is, to serve till the year of jubilee. If that was the construction admitted, the unconverted heathen and the native Hebrew servant were placed in the same situation in regard to the power of redemption, each being redeemable by their own people.\*

\* The humanity to servants inculcated by the precepts of Moses, does not appear to be totally lost, even at the present time, among the depressed and injured remains of that once celebrated race. In 1786, a subscription was set on foot, in the island of Barbadoes, to establish a general dispensary for the use of the sick poor; a large part of whom were well known to be superannuated or worn out slaves—abandoned by their owners to perish in the streets. Of the sum subscribed to this charitable purpose, upwards of

The state of servitude was terminated by abuse on the part of the master. Mutilation, though hasty and unpremeditated, gave a title to freedom. If a man smite the eye of his servant or the eye of his maid, that it perish, he shall let him go free for his eye's sake. And if a man smite out his man servant's tooth, or his maid servant's tooth, he shall let him go free for his tooth's sake. (Exod. xxi. 26, 27.) This precept is construed by the Mishnic doctors to include not only all cases of actual mutilation, but those minor injuries by which the use or beauty of any of the members is permanently impaired.

A very important consequence of the temporary duration of servitude was, that the laws intended for the protection of servants were likely to be observed. The servant, if abused, might when free demand and enforce restitution. The odious and degrading distance between masters and slaves, which perpetual and hereditary slavery seldom fails to produce, could then have no existence. Freedom and servitude might pass among families and individuals, like the vibrations of wealth and poverty, without producing any degrading or permanent distinctions.

The operation of these causes may be traced in several parts of the Jewish history. Thus we find (1 Chron. ii. 34, 35,) Sheshan giving his daughter to an Egyptian servant; and the prophet Samuel assigning to Saul and

one tenth was contributed, collectively and individually by the Hebrew nation; though their numbers probably fall short of one twentieth of the white inhabitants of Barbadoes, and not one hundredth of the property of the island is in their hands.—*Dickson's Letters on Slavery*, p. 138.

his *servant*, the chief place among them that were bidden to the feast. (i Sam. ix. 22.)

The law respecting female servants as explained by the Jewish doctors, will be briefly noticed.

Females became servants by being sold by their fathers; or by the servitude of their mothers, or by captivity in war, when as already observed, they were deprived of their natural protectors, and thrown upon the clemency of the victors.

A Hebrew bondmaid, was not allowed to be sold by any but her father, nor even by him, unless she was under twelve years of age; nor to any but a Hebrew; and even in this case the master was to bind himself to betroth her either to himself or his son whenever she completed her twelfth year, "for," says Jarchi, "the money of her purchase is that of her espousals." If at that time the master does choose to betroth her to himself or his son, she must neither be sold nor retained but become immediately free.\*

If a man espoused a captive taken in war, she was entitled to all the privileges of a wife, and her children were to be treated in all respects as though she had been originally free. In case she became disagreeable she might be divorced as other wives were liable to be, but not sold or otherwise deprived of her liberty. (Deut. xxi. 14.)

From this review of the most ancient code of laws which history has delivered to us, it is obvious that the design of the legislator was to miti-

\* According to some writers a redemption fee was payable according to the time unexpired till the sabbatical year.

gate the system of slavery as far as it was admitted at all, and to give to the current of legal administration a direction towards its total extinction. That personal bondage was, as far as the manners of the times would admit, divested of every degrading appendage. That servants were uniformly regarded as objects of special attention. And that the slavery extensively prevalent in subsequent ages, may read, in that venerable code, its own severe and unqualified reprobation.

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OBSERVATIONS ON THE CAUSES WHICH  
HAVE PRODUCED THE DIVERSITIES  
OF THE HUMAN SPECIES.—*From*  
*Prichard's Physical History of Man.*

(Continued from page 54.)

It appears that the principle in the animal economy on which the production of varieties in the race depends, is entirely distinct from that which regards the changes produced by external causes on the individual.

These two classes of phenomena are governed by very different laws. In the former instance certain external powers acting on the parents, influence them to produce an offspring possessing some peculiarities of form, colour, or organization; and it seems to be the law of nature that whatever characters thus originate become hereditary, and are transmitted to the race perhaps in perpetuity. On the contrary, the changes produced by external causes in the appearance or constitution of the individual, are temporary, and in general, acquired characters are transient, and have no influence on the progeny.

It is a well known fact, that the form of features which constitutes what is called a family likeness, and other similar varieties have been transmitted for many generations. The most minute peculiarities have been traced through repeated successions. There is not a family of men nor a stock of animals, which cannot produce something in confirmation. A spot on a quadruped of variegated colour often

becomes almost perpetual. The general rule equally applies to those more obvious instances, which can be discovered by our senses, and to the minute varieties of organization, which give rise to peculiar constitutions and to every different morbid affection. Thus defects in the organs of sense, and imperfections in all the bodily functions, as deafness, insanity, asthma, palsies, are hereditary, or at least the predispositions which lead to these distempers when the exciting causes are applied.

The truth of the other proposition advanced, that no acquired characters are ever transmitted, is not so immediately evident; although it appears to be universally confirmed by experience. It may be stated as a general fact, that the organization of the offspring, allowing still for the springing up of new varieties, is always formed on the model of the natural and original constitution of the parent, and is not affected by any change the latter may have undergone, or influenced by any new state it may have acquired. A contrary opinion has indeed been maintained by some physiologists, and divers facts have been related in testimony. We are told for example, that dogs and cats are sometimes produced without tails; the defect arising from the circumstance that the parents of the animals so marked had suffered amputation of the same member. The authors who have brought such examples as these in defence of their opinions, would not probably have thought them worth recording if they had not happened to coincide with the systems they were advocating. It is surely much more reasonable to attribute defects of this nature to accidental occurrence, than thus to account for them. Individuals are occasionally produced in every species sometimes with a natural mutilation or defect of some member, and others with an excessive growth. We see such examples almost daily in the human kind, and similar instances occur in the lower tribes. Yet if a child be born without a foot or hand or arm, it would not occur to any person to impute the want of the limb to any amputation which either of the parents might have undergone, and if the lat-

ter should have been found to have been thus mutilated, the coincidence would be justly attributed to accident, and no connection would be imagined between the two facts.

The opinion we are opposing has taken its rise rather from some absurd theory, than from any facts that have appeared well established. But our knowledge of the processes of nature is so slender that we are not authorized to reason from any hypothesis on the subject. We know not by what means any of the facts we remark are effected. Our object should be simply to observe and generalize them, and to deduce thence analogical rules to guide us in our future researches. In the present instance we form our observations with such an abundant range of experiment before us, that we are entitled to a considerable degree of confidence in the general results. All nations are subject to accidental injuries, and amputations and other operations of surgery have been practised in every country from immemorial time. Yet who ever heard of any effect produced on the race? Our horses and other domestic animals are continually mutilated in their ears and tails from our caprice. An infinite number of decisive experiments are performed every day with the same results.

The utility of this law of nature is very evident. If it were not for it, the evils of all past ages would be perpetuated; and the human race would, in each succeeding generation, exhibit more abundant examples of accumulated misery. Every species would become at this day mutilated and defective, and we should see nothing but men and animals destitute of eyes, arms, legs, &c. The whole creation which now displays a spectacle of beauty and happiness, would present to our view a picture of universal decrepitude and hideous deformity.

We cannot discern any essential circumstance in which changes produced by art or by casual injury, differ from those which are effected by other external causes. Neither do the latter appear to be communicated to the offspring, which is always formed according to the natural constitution of the parent. Thus we know, that the change whatever it may be,

which is produced in the constitution by the application of certain contagions, as the smallpox, cowpox, and others, is a permanent state, and renders the persons who have undergone these diseases, incapable of being affected by the same maladies during their lives, yet this acquired condition is not communicated to their children, who are born on the contrary with the original constitutions and predispositions of their parents. These are probably analogous cases to those of the changes produced by external injuries. The secret modifications of bodily structure, which defend the constitution against the attacks of any distemper are governed by the same laws, as far as regards hereditary descent, as the sensible changes of form, or even the want of parts, which is the consequence of mutilation.

The uniform preservation of the natural complexion of white races of men, who reside in hot climates, and are continually acquiring a darker hue, is a fact analogous to those which we have lately mentioned and conformable to the general law. The adventitious colour has no influence on the offspring.

If there be any truth in the above reasoning we must not in inquiring into the nature of the varieties in the human complexion and figure, direct our attention to the class of external powers, which produce changes on individuals in their own persons, but to those more important causes, which acting on the parents influence them to produce an offspring endowed with certain peculiar characters, which characters, according to the law of nature, become hereditary, and thus modify the race.

It will be useful in this place to extend our views again to the other departments of nature, and endeavour to acquire an idea of the causes in general, which chiefly predispose to the production of varieties. It is to be regretted, that physiologists have not directed their attention to this view of the subject. If they had pursued this path, we should probably, at the present time, have been possessed of an instructive accumulation of facts, in the place of abundance of vague reasoning.

It is well known that in the vegetable kingdom the seeds of plants in various circumstances produce new varieties of form, colour, and quality. Seedling plants continually exhibit a disposition to almost infinite variations. —In some vegetable races, as in the varieties of the pea, the characters thus constituted are very uniformly hereditary; in others they are very capricious, and in not a few examples, as in the apple and pear, the offspring scarcely receives any determination from the peculiar character of the parent stock.

The circumstances which produce the evolutions of varieties, and especially of the finer and more luxuriant forms, and of the more beautiful tints, in the vegetable kingdom, are culture, richness and frequent change of soil, an abundant supply of all the wants of the individual, and a cautious guarding against all causes which have a tendency to weaken the vigour of its growth and lessen the energies of its peculiar life. The principle of cultivation, or rather of this part of it, for a great portion of the art consists in the judicious mixture of varieties, seems to be the supplying to every plant in abundance the stimuli adapted by nature to its particular species.

In the animal kingdom it is probable that a greater number of causes would be found to contribute to the evolving of varieties, if sufficient observations were made of all the antecedent circumstances, which are connected with these appearances. If a pair of brown mice are kept constantly in a dark cellar or any where excluded from light, their offspring will be produced with white hair and red eyes. It is not an uncommon thing to find this variety in the foundations of old cathedrals and in other places, which abound in dark subterranean recesses. The white variety of the field mouse is found in woody plains. These characters are hereditary and the animals possessing them frequently form races.

The appearance of the white variety is very common in several species of animals which inhabit the arctic countries. I do not speak of the races which are originally white, as the arctic bear and fox, nor of the varying tribes, which acquire a white hue in

the winter, for these are distinct species. But the common species of bears, foxes, and other animals in those countries frequently produce offspring of the description above mentioned. This phenomenon and that of the variety of mice in our own country may be considered as analogous. There is no reason to doubt that several of the species of wild beasts, which are generally of dark colours in the south of Europe, would, if they were transported within the arctic circle, soon exhibit the same deviations in their progeny. We have here an example of the antecedent circumstances connected with the origin of variety tolerably well defined.

It is scarcely to be imagined that climates have no effect in exciting these variations, for whatever are the circumstances or combinations of them, which conduce to the appearance of such phenomena, these must be supposed more likely to occur in one climate than another.

The breeds of goats, rabbits, and cats of Anatolia are remarkable for soft, long, white hair. The concurrence of this character in different species found in the same local situation, leads to the inference that the variety must arise from a local cause. Yet this variety is permanent, when the animal is carried into other countries.

But by far the most powerful cause of the evolution of varieties in the animal kingdom is domestication, or the artificial and unnatural condition into which those tribes are brought, which are subservient to the uses of man. To be convinced of the truth of this fact, we need only look on the phenomena which surround us on every side. In all our stocks of domesticated animals, we see profuse and infinite variety, and in the races of wild animals from which they originally descended, we find an uniform colour and figure for the most part to prevail.

Domestication is to wild animals what cultivation is to vegetables, and the former probably differs from the natural state of the one class of beings in the same circumstances which distinguish the latter from the natural condition of the other class. The most

apparent of these is the abundant supply of the peculiar stimuli of the kind. Animals in a wild state procure a simple and unvaried food in precarious quantities, and are exposed to the inclemencies of the seasons. Their young are produced in similar circumstances to the state of seedlings which spring uncultivated in a poor soil. But in the improved state, all the stimuli of various food, of warmth, &c. are afforded in abundance, and the consequence is a luxuriant growth, the evolution of varieties, and the exhibition of all the perfections of which each species is capable.

Civilized life holds the same relation to the condition of savages in the human race, which the domesticated state holds to the natural or wild condition among the inferior animals. Man is defended by so many arts against the influence of the elements, he appears when we compare him with the greater part of the brute creation, to be so secure against the efficacy of natural causes, and this not only in countries where the improved condition of life has been carried to the greatest advancement, but with a great majority of the species, that the effects of climates must be expected to be less on the human than on the inferior kinds.

On the other hand, the difference between the artificial state of mankind and their natural or savage condition, is so much more important and extensive than any which intervenes between the domesticated and wild races of animals, that we must, reasoning from probability expect the effect of this change on the human species to be more strongly marked than on the inferior kinds.

We shall now proceed to consider what effect climates have in predisposing to varieties in the human species, by comparing the native people of distant regions of the earth. We shall pursue this inquiry in a method somewhat different from that heretofore followed. The influence of moral causes in modifying the efficacy of natural causes, is allowed on all hands to be very considerable. Moreover, we have seen reason to impute, a priori, to civilization, at least as great



power in the production of varieties, as climates can be supposed to exert, and we shall afterwards produce examples of its effects, which will show that they have not in this view been overrated. With these preliminaries it appears necessary that we should in proceeding to compare the inhabitants of different climates, consider those nations only as the proper subjects of this comparison, which are in a similar state with respect to barbarism and civilization. We shall compare savages with other barbarous tribes, and civilized races with people in a similar state, and shall endeavour in general to include in the same comparison nations as nearly as possible on a level with each other in a moral point of view.

The indigenous nations of America afford us one very ample field for this sort of comparison. Though divided into a great number of tribes which are completely independent of each other, and have no mutual intercourse, and which have been thus discriminated from the earliest period of our acquaintance with them; and though scattered at immense distances over a vast continent of a most diversified surface, which extends itself through every habitable climate, these people preserve every where a strong resemblance in all the leading points of their manners and habits. Since the researches of Humboldt in the new World, we have become better informed concerning various particulars of its natural and political state. His observations lead to some conclusions concerning the physical history of the aboriginal people, which are very much to our present purpose.

"The Indians of New Spain have a more swarthy complexion than the inhabitants of the warmest climates of South America. The influence of climate appears to have almost no effect on the Americans and negroes. There are no doubt tribes of a colour by no means deep, among the Indians of the new continent, whose complexion approaches to that of the Arabs or Moors. We found the people of the Rio Negro swarthier than those of the lower Orinoco, and yet the banks of the first of these rivers enjoy a much

cooler climate than the more northern regions. In the forests of Guiana, especially near the sources of the Orinoco, are several tribes of a whitish complexion, the Guaiacas, Guajaribs and Arigueas, of whom several robust individuals, exhibiting no symptom of the asthenic malady which characterises Albinos, have the appearance of true Mestizos. Yet these tribes have never mingled with Europeans, and are surrounded with other tribes of a dark brown hue. The Indians in the torrid zone, who inhabit the most elevated plains of the Cordilleras, of the Andes, and those who under the 45th degree of south latitude, live by fishing among the islands of the Archipelago of Chonos, have as coppery a complexion as those who under a burning climate cultivate bananas in the narrowest and deepest valleys of the Equinoctial region. We must add that the Indians of the mountains are clothed, and were so long before the conquest, while the Aborigines who wander over the plains, go quite naked and are consequently always exposed to the perpendicular rays of the sun. I could never observe that, in the same individual, those parts of the body which were covered were less dark than those in contact with a warm and humid air. We every where perceive that the colour of the American depends very little on the local position in which we see him. The Mexicans are more swarthy than the Indians of Quito and New Granada, who inhabit a climate completely analogous, and we even see that the tribes dispersed to the north of the Rio Gila are less brown than those in the neighbourhood of the kingdom of Guatemala. This deep colour continues to the coast nearest Asia, but under 54° 10' of north latitude, at Cloak Bay in the midst of copper coloured Indians, with small long eyes, there is a tribe with large eyes, European features, and a skin less dark than that of our peasantry." All the other travellers of credit coincide in a similar testimony with that of Humboldt, concerning the complexion of the native Americans. Herrera, Ulloa and other Spanish writers give the same account. Ulloa's authority is of weight, because he had personal opportunities of mak-

ing observations on the Indians in North America as well as South. He reported that there was no discoverable difference of complexion which had any relation to climate. Herriot makes a similar remark. Stedman relates that the Indians near Surinam, are of a copper colour, M'Kenzie and Hearne give the same account of the Knistineaux, and other tribes who inhabit the region contiguous to the Arctic Circle. I have received a similar relation from several persons of credit, who have seen the natives of Canada and of South America. The general statement is, that the people of the tropics are fairer than those of the north. Wallis reports that the people of Patagonia and Tierra del Fuego are of the same colour with the Indians of North America. Cook describes the natives of Tierra del Fuego as having the colour of rust of iron mixed with oil.

(To be continued.)

#### SLAVE TRADE.

The following is a late decree of the King of France against the Slave Trade.

Charles, by the grace of God King of France and Navarre, to all who shall see these presents, greeting.

We have ordained, and do ordain, that the project of a law of the following tenor shall be presented by our Minister Secretary of State to the Department of Marine and the Colonies, whom we charge to explain its object and to support it in discussion.

*Only Article.*—In case of a co-operation or participation, by any means whatever, in the traffic known under the name of the negro slave trade, the proprietors, and supercargoes; the insurers who insure it knowingly; the captain or commander and other officers of the vessel; shall be punished with banishment, and a fine equal to the value of the ship and cargo.

The fine shall be pronounced conjointly against the individuals designated in the preceding paragraph.

The captain and officers shall be further declared incapable of serving,

under any title, in the king's navy or the French merchant service.

Other individuals belonging to the crew shall be punished with imprisonment from two months to five years. From these are excepted, such of the above mentioned individuals as shall, within fifteen days after the vessel's arrival, declare to the commissary of marine, or the magistrates of the French consuls in foreign ports, the facts which they shall know.

The vessel shall be seized and confiscated.

The penalties under the present law are independent of those which shall be pronounced, in conformity with the penal code, for other crimes or offences which may have been committed on board the ship.

The law of April 15, 1818, is abrogated.

Given in our palace of the Tuilleries, December 27th, 1825; and, of our reign, the third. CHARLES.

#### BRAZILIAN SLAVE TRADE.

*Freetown, Feb. 21. 1827.*

We have occasion to notice in this week's paper, the arrival on Monday last of the Brazilian slaver *Invincible*, mentioned in our No. 447, as having been captured in the Cameroons by two boats of his Majesty's ship *Esk*, under the command of Lieuts. Kellett and Tolleway. The detention was between eight and nine in the evening of the 21st Dec., at which time the vessel had on board 440, human beings, just shipped, the captain and part of the crew being sick. Five days were occupied in working to the mouth of the river, which is in latitude 3° 54' north, and fourteen days more in attempting to get to the southward, during which the vessel only made one hundred and twenty miles. Lieutenant Tolleway, the officer in charge, then determined on running away to the westward, seeing no probability of succeeding in making southing, and after a wretched passage of fifty-six days, reached this port, having, during the period, been twice struck by lightning—on the 1st of January, at four in the morning, which shivered to

pieces the mizzen top-mast, and did other damages, killing one marine on deck, and two slaves (women) below; and secondly at noon, in a heavy squall on the deck, and killed two slaves in the hold—a man and a boy. The damages sustained in the first instance, were repaired by Lieutenant Tolleway, being fortunate enough to fall in with the *Esk*, eight days after taking his departure from the mouth of the river.

The mortality on board this vessel on the way up, we believe has never been exceeded. Out of the 440 unfortunate Africans on board at the time of capture, 178 died in addition to the four killed and four missing (supposed to have jumped overboard in one of the storms of thunder and lightning) before her arrival here, and eight in the harbour prior to their being landed on the twenty-first inst. (two days after anchoring;) making a total of 186 natural deaths—if persons dying under the circumstances these poor creatures did can be so termed—out of 440 individuals in less than sixty days! The cause of this immense loss, we understand, is mainly attributable to the filthy state of the vessel when they were received on board, and the numbers that were thrust into her.

The master of this slaver, is an old offender, having carried off the coast, in the same vessel, last voyage, 600 slaves.

#### THE AFRICAN CHIEF

Chained in the market place he stood,  
A man of giant frame,  
Amid the gathering multitude  
That shrunk to hear his name,—  
All stern of look and strong of limb,  
His dark eye on the ground,—  
And silently they gazed on him,  
As on a lion bound.

Vainly, but well, that chief had fought,  
He was a captive now,  
Yet pride, that fortune humbles not,  
Was written on his brow.  
The scars his dark broad bosom wore  
Shewed warrior true and brave:  
A prince among his tribe before,  
He could not be a slave.

Then to his conqueror he spake—

“My brother is a king;  
Undo this necklace from my neck,  
And take this bracelet ring.  
And send me where my brother reigns,  
And I will fill thy hands  
With store of ivory from the plains,  
And gold dust from the sands.”

“Not for thy ivory nor thy gold  
Will I unbind thy chain;  
That bloody hand shall never hold  
The battle spear again.  
A price thy nation never gave  
Shall yet be paid for thee;  
For thou shalt be the Christian's slave,  
In lands beyond the sea.”

Then wept the warrior chief, and bade  
To sherd his locks away,  
And, one by one, each heavy braid  
Before the victor lay.  
Thick were the plaited locks, and long,  
And deftly hidden there  
Shone many a wedge of gold among  
The dark and crisped hair.

“Look, feast thy greedy eye with gold  
Long kept for sorest need.  
Take it—thou askest sums untold—  
And say that I am freed.  
Take it—my wife, the long, long day  
Weeps by the cocoa tree,  
And my young children leave their play,  
And ask in vain for me.”

“I take thy gold—but I have made  
Thy fetters fast and strong,  
And mean that by the cocoa shade  
Thy wife will wait thee long.”  
Strong was the agony that shook  
The captive's frame to hear,  
And the proud meaning of his look  
Was changed to mortal fear.

His heart was broken—crazed his brain,—  
At once his eye grew wild,  
He struggled fiercely with his chain,  
Whispered, and wept, and smiled;  
Yet wore not long those fatal bands,  
And once, at shut of day,  
They drew him forth upon the sands,  
The foul hyena's prey.

THE  
**African Observer.**

SEVENTH MONTH, 1827.

NEGRO SLAVERY.

*(Continued from page 74.)*

The slave, in the British colonies, is, at all times, liable to be sold, or otherwise aliened, at the will of the master, as absolutely in all respects, as cattle, or any other personal effects. He is also, at all times, liable to be sold by process of law, for satisfaction of the debts of a living, or the debts or bequests of a deceased master, at the suit of creditors, or legatees. In consequence of a transfer in either of these ways, or by authority of his immediate owner, he may be exiled in a moment and for ever, from his home, his family, and the colony in which he was born, or in which he has long been settled.

There are few situations in life, so completely wretched as to destroy the attachment to the land of our birth and the scenes of our childhood, so interwoven with the tenderest feelings of the human heart; and this attachment generally exerts the greatest influence over those who have always vegetated on a single spot, and whose knowledge of the world is bounded by the narrow circle of their own per-

sonal observation. To such persons, a simple exile from their natal soil, without any concomitant evils, is viewed with extreme dismay.

But even the West Indian slave has his comforts, arising from family connexions and the ties of friendship; and probably few friendships are more tender and sincere than those which are cemented by community of suffering.

On the liability of the negro slaves to be sold for the debts of their masters, the eminent historian so frequently noticed in the preceding essays, has furnished some pathetic remarks.—After proposing several improvements in the existing system of West Indian slavery, which he represents as likely to be conducive to the comfort of the negroes, he adds, "But these, and all other regulations which can be devised for the protection and improvement of this unfortunate class of people, will be of little avail, unless as a preliminary measure, they shall be exempted from the cruel hardship, to which they

are now frequently liable, of being sold by creditors, and made subject, in a course of administration by executors, to the payment of all debts, both of simple contract and speciality.

"This grievance, so remorseless and tyrannical in its principle, and so dreadful in its effects, though not originally created, is now upheld and confirmed, by British act of parliament; and no less authority is competent to redress it. It was an act procured by, and passed for the benefit of, British creditors; and I blush to add, that its motives and origin have sanctified the measure, even in the opinion of men who are among the loudest of the declaimers against slavery and the slave trade. This odious severity of the Roman law, which declared sentient beings to be *inter res*, is revived and perpetuated in a country that pretends to Christianity! In a few years a good negro gets comfortably established, has built himself a house, obtained a wife, and begins to see a young family rising about him. His provision ground, the creation of his own industry, and the staff of his existence, affords him not only support, but the means also of adding something to the mere necessities of life. In this situation, he is seized on by the sheriff's officer, forcibly separated from his wife and children, dragged to public auction, purchased by a stranger, and perhaps sent to terminate his miserable existence in the mines of Mexico, excluded forever from the light of heaven; and all this without any crime or demerit on his part, real or pretended. He is punished because his master is unfortunate. I do not believe any case of force or fraud in Africa, can be productive of greater misery than this.

Neither can it be urged, that, like some unauthorized cases of cruelty in the West Indies, it occurs but seldom: unhappily it occurs every day, and, under the present system will continue to occur, so long as man shall continue to be unfortunate.

"Let this statute then be totally repealed. It is injurious to the national character; it is disgraceful to humanity. Let the Negroes be attached to the land, and sold with it. The good effect of a similar regulation in the system of ancient villanage has been illustrated by a great many writers; and those persons who now oppose an extension of the same benefit to the Negroes in the West Indies, would do well to reflect, that while they arraign the conduct of the resident planters towards their slaves, they are themselves the abettors and supporters of the greatest of all the grievances under which these unfortunate people continue to suffer."

Such is the portrait of this branch of West Indian slavery, drawn by one of its ablest advocates, when the cause of humanity furnished a plea for casting a dart at their opponents.†

\* Ed. Hist. W. Ind. vol. 2, Book iv. chap. 5.

† Justice to the friends of abolition, who are here obliquely charged with supporting the most cruel part of the slave-holding system, requires a brief explanation of the law in question.—It was an act of 5 Geo. II., containing a declaration that negroes and land in the colonies should be assets for the satisfaction of simple contract debts, and liable to be sold under executions. By the insular laws, slaves were required to be sold for debts before a resort could be had to the real estate; and the latter could be sold only in case the former were insufficient.—As far therefore, as the parliamentary act had any bearing upon the question, it

The comforts of the slave, in his established domicile, are probably overrated, as well as the misery usually attendant upon a judicial sale, in order to heighten the colouring of the picture.—It is, however, safe to conclude that the evil thus pathetically described, is sufficiently grievous to call for immediate and ample redress. How far the case is changed or the suffering diminished by a sale and dispersion of the negroes at the option of the master, or in execution of his will, is perhaps not easily determined.—To a mind little conversant with the technicalities of slavery, it would appear that the evil, as far as the

must have tended towards the end proposed by the historian, an attachment of the slaves to the soil. Under that law, land and slaves were answerable for debts of equal degree, and might of course be sold together.—In 1797, four years after the publication of his history, the author, then a member of parliament, brought forward a motion for a repeal of the act complained of; urging, in support of his motion, similar complaints with those contained in the history.—The friends of abolition, without much examination of the subject, gave credit to the representation, and a bill was immediately passed in accordance with his suggestion.

The repealing act however, does not even profess to attach the slaves to the soil, or to direct that lands and slaves shall be sold together, or that either shall be exempt from sale; but merely repeals so much of the former act as relates to *negroes*. The slaves were thus left, in regard to sale, under the unrestrained operation of colonial usages and laws: and there is good reason to believe, that no attempt has yet been made, by any of the local legislatures, to place the slaves on the ground of *villains regardant*, or in any other way to redress the grievances so pathetically deplored.

slaves are concerned, is in the liability to be sold, rather than in the particular manner in which the sale should be effected.

“The distress and terror among a gang of Negroes, when the marshal’s deputy, with his dogs and other assistants, comes to levy in a large way, cannot be conceived by those who, happily for themselves, have never been spectators of such scenes, and can scarcely be described by those who have witnessed them. I was once on a coffee mountain (staying for a few days with a brother clergyman, who had permission to reside there,) on which were about seventy or eighty negroes. The proprietor was much in debt, and was aware that one or two of his largest creditors had for some time wished to make a levy on his slaves to pay themselves; but by keeping his gates locked, and the fences round the dwelling house and negro-houses in good repair, he had hitherto baffled the Argus eyed deputy and his deputies. The night after I arrived on the property, however, I was awaked, about an hour before daylight, by a great noise, as of arms, with cries of women and children. In a few minutes a private servant came to my window and informed me, that it was the marshal’s deputies making a levy on the negroes, and that the noise proceeded from the clashing of weapons; for some of the slaves, he said, had stoutly resisted. I then alarmed my friend, and we determined to go out to see that no improper use was made of the tremendous power given to these Cerberuses. By the time we arrived at the negro-houses the resistance had ceased; for the negroes being divided, had been over-

come by the myrmidons of the law. One poor fellow, however, was being dragged along like a thief by a fierce and horrid looking Irishman, who had been one of M'Gregor's freebooters, and who when we came near, grasped his victim more tightly, and brandished his broad sword over the poor creature with the grin and growl of a demon.

"Many of the men escaped from the property, and some few others, with some women, secreted themselves among the coffee trees, till the party had gone off with their prey. They secured, however, ten or twelve men, and many of the women and children, amounting in the whole to between thirty and forty, who were huddled together on the outside of the principal fence, and presented such a heart-rending scene as I never witnessed before, and should be very sorry ever to witness again. Some of the children had lost their mothers and some of the mothers had been torn away from a part of their children; for some of the little urchins also escaped. One woman in particular, a housewoman, had six or seven children: two or three of them were seized, and the others escaped; but the youngest, an infant, had been caught, and she wept aloud and very bitterly for it, saying, that she must give up herself if the child was not got back, for she could not live separated from it. There were many a bitter cry and sad lament among the women and children, for they loved their master, who was kind, and had excellent provision grounds for them: but most of the men were dogged and sullen, and only wanted arms to obtain their freedom from the savage whites and their associates, who

now guarded them. As it was, two or three of the poor fellows were wounded; and I was assured by a free brown man, who was looking after the property in the master's absence, that had the proprietor been there, there would have been sad work, and very likely murder; for it was an illegal levy, and the resistance would have been desperate under their master's eye and voice. They were tied together, or hand-cuffed, and driven off the same morning to Spanish-Town gaol, a distance of twenty miles; but as they had been seized before sunrise, and the fence had been also broken through, both of which are illegal, the owner obtained their enlargement shortly after and they were allowed to go back to the spot they loved. I might here remark, that the labour is much lighter on a coffee mountain than on a sugar estate, and that the negroes are not required to be up so much *at night*, to pick and cure coffee, as they are to make sugar; where, therefore, they have good provision grounds, as they had on this mountain I have been speaking of, they are much more comfortable, and less harassed than on a sugar estate."—*Bickell's Picture of Slavery*.

As it frequently happens that husband and wife are held by different proprietors, the breaking up of a gang in consequence of the decease or insolvency of their owner, must often dissolve for life those matrimonial ties, which, in civilized society, form the sweetest solace of life.—No marvel then that among persons, liable at all times, to this cruel separation, the matrimonial bond should be held extremely loose. The general profligacy of manners, prevalent among the

West Indian slaves, has been frequently assigned as a cause of their decrease. But independently of the example of their superiors, that profligacy must be greatly increased, if not originally produced, by the precarious tenure by which all their domestic comforts are held.—The poor untutored slave can hardly form a proper estimate of the sanctity of the marriage covenant, when he beholds it lightly dissolved by his more enlightened proprietor.

The incident of negro slavery above noticed, if not peculiar to that species of servitude, is by no means the common lot of slaves. Instances to the contrary, both in ancient and modern times, and among people reputed barbarous, are noted in the preceding numbers. The slaves among our half civilized ancestors of the middle ages, appear to have been generally of the class denominated *villeins regardent*, who were attached to the soil and not liable to separation from it; and such are at this day the slaves of Poland and Russia.

Plantation slaves, not only in the Spanish and Portuguese, but in the French Islands also, are real estate, attached to the soil they cultivate, and not liable to be seized and sold to satisfy the debts of their owners.

With regard to domestics, the power of alienation, where it prevails, is modified by various restrictions, founded on humanity towards the slaves. There is a wise and merciful provision in the *Code Noir* which prohibits the selling of the husband without the wife, the parents without the children, and *vice versa*. Sales made contrary to this regulation, if by process of law under seizure for debts, are declared void; but if voluntary on the part of the master, the wife or husband, children

or parent, though expressly retained by the seller, pass by the same conveyance to the purchaser, and may be claimed without any additional price. The most express and solemn stipulation between the parties, contrary to this rule, has been adjudged to be void. No such limitation of the master's power is found in the codes of any British sugar island.

Of the liability of slaves to be seized and sold, separate from the lands they cultivate at the suit of creditors, for the payment of the master's debts, it is believed no precedent can be found in any part of the ancient world, nor can any be found where such a liability would be productive of so much practical evil, as in the countries under review.—There more than in any other place, the planters are struggling with difficulties and burdened with debts, and their property fluctuating from hand to hand.

In the United States, with a partial exception in the state of Louisiana,\*

\* In a law of Louisiana, passed in 1806, it is provided, that "slaves shall always be reputed and considered real estate; shall be, as such, subject to be mortgaged according to the rules prescribed by law, and they shall be seized and sold as *real estate*." By the civil code they are pronounced immoveable property; and therefore it would appear that when slaves, and the land on which they are located, belong to the same proprietor, they are not liable to be separated by process of law.

In the same state it is enacted, that "if at a public sale of slaves, there happen to be some who are disabled, through old age or otherwise, and who have children, such slaves shall not be sold but with such of their children as they may choose to go with." Unfortunately this humane provision, has shared the fate to which, almost all the laws, designed for the protec-



the slave is liable to be sold, at the option of the master, or by process of law, as a personal chattel.—In one or two of the states where slavery is still tolerated, slaves are not legally removable beyond the limits of the state, and in several of them laws are in force which prohibit their introduction, except under particular circumstances.\*

As, however, slaves are, with very few exceptions, liable to be sold to any one who may choose to purchase them, and an open market for their sale remains in several of the southern and western portions of the United States, an interterritorial traffic in their persons, is prosecuted, to an extent which baffles calculation, and stamps a stigma on our national character. Even where the introduction of slaves, as an article of trade, is legally proscribed, the authority allowed to emigrants intending to settle in any of those states, to bring with them any number of slaves whatever, must open a door for a considerable traffic of this kind. For the emigrant may very soon discover, that he has brought for his own use, a

tion of slaves in the slave-holding districts, have, by some strange fatality, been condemned. Though the parents in this case may not be sold without the children, an evil not very likely to be inflicted where they are superannuated or otherwise disabled from labour, yet the children may be sold without the parents, and thus effect a complete dissolution of the family ties. Every person is also prohibited from selling separately from their mother, the children who shall not have attained the age of ten years. If, however, the mother may be sold without the children, which I believe may be legally done, the great evil remains undressed.

\* See note page 54.

much greater number of slaves, than he can profitably employ. If in such case one supernumerary slave may be sold or given away, why not an hundred?

No further south than the eastern shore of Maryland, a regular traffic in slaves is carried on.—A correspondent residing in one of the small towns in that district, mentions, in a letter to the editor, "there are now, or have been within a few days past, eight or ten persons at this place, whose avowed object is to obtain slaves. They are almost daily going and coming, but we may fairly conclude that from four to six make this their place of rendezvous for several months of the year, for as one goes off with his booty, another comes to supply his place." In one small county where the trade was not carried on so extensively as in some others, eighty three were recorded in the jailors books in the course of six months, as deposited for safe keeping.\* We may, however, presume that a part only of those sold are thus deposited.—So common has this traffic become, that the poor manacled slaves are frequently seen travelling in droves toward the place of their destination, and little or no examination made into the legality of the power by which they are held.—This trade is held in the state of Maryland, to be entirely legal, and may be prosecuted, with impunity, to any extent.—

\* In the county alluded to, the whole slave population between 14 and 45, in 1820, amounted to 2119.—These ages, probably include most of those who would be confined in jail, in order to be sold, and therefore it would appear that nearly eight per cent. of the most saleable part of the slaves were annually sold.

The transportation of slaves from Baltimore and Alexandria, to the southern ports, appears a regular business. From the latter, three or four small vessels sail once or twice a year, carrying from seventy to an hundred persons. But the number who are conveyed by land, from the neighbourhood of the Potomac, to the states bordering on the Mississippi and the Mexican gulf, can be correctly determined by those only who are connected with the trade.—Two thousand are supposed to be annually transported by land and water, from the District of Columbia, and the adjacent parts of Maryland and Virginia. If in these states, slaves are not raised purposely for sale, they certainly, when raised, compose an important part of the annual exports of the country. A correspondent from Virginia, estimates the returns of cash from the sale of slaves, as nearly equal to those derived from the produce of the soil. How near the truth this estimate is, I have not the means to determine. Though the state of Tennessee is of comparatively recent settlement, there are several hundreds annually exported. They are to be seen travelling in droves of 100 or upwards; those who appear refractory, being frequently chained together in companies of fifteen or twenty.

Where a traffic in slaves is thus actively carried on, and sanctioned by existing laws, those coloured persons who are legally free, must necessarily hold their freedom by a very precarious tenure, particularly, where every person tinged with an African die, is presumed to be a slave, unless proved to be free. Such also of this race, as are entitled to their freedom,

at a definite but future period, are peculiarly exposed to the danger of being removed, by this shameful traffic, beyond the power of rescue. Poor, ignorant and friendless, how can the indented black, when sold to a southern trader, and carried to a distant market, where the colour of his skin is legal evidence of his slavery, recover the liberty to which he is entitled? Numerous instances have occurred of free persons, or those who were bound for a limited time, being rendered the objects of this trade.

In the legalized traffic, sufficient evidence appears that the dictates of humanity are frequently so far regarded, as to pay some respect to family ties, and so to manage the sales as to prevent the disruption of the marriage union: yet it is a lamentable truth, that this most important part of the negro's destiny, is left almost entirely, to the discretion of the parties to the sale. In our own country, as well as in the British West Indies, the marriages of slaves are seldom registered, or in any manner legally recognized. The union of slaves being thus left to be formed and dissolved by themselves, as fancy or passion may dictate; it is difficult to suppose that a very scrupulous regard should be paid to these feeble and fragile connexions, when the parties become an object of trade. These circumstances, as already observed, must powerfully contribute to the general dissoluteness of manners, so mournfully prevalent where slavery predominates; an evil which is seldom confined to the servile class.

The government of the United States, by identifying the African slave trade with the crime of piracy,

has manifested its just abhorrence of this odious traffic, and assumed a prominent station among the political advocates of justice and mercy; but while the interior of our country continues to be the scene of a similar traffic, our claims to the high character of consistent friends to universal justice, must be liable to dispute. It is true, the scenes of conflagration and blood, through which the victims to the African trade are led to the shores, and pestilential holds, in which their transportation is effected, do not accompany, in all their hideous deformity, the internal trade; yet the latter bears, in most of its features, a strong resemblance to its legitimate parent. Probably few of the natives of Africa, contemplate a transportation across the Atlantic, and a sale in a distant and unknown land, with greater horror, than the slaves of Delaware, Maryland, and Virginia feel at the prospect of a transfer to the states on the Mexican gulf. Such a transfer is to them a separation forever from the land of their birth, and appears as if half the convex world was placed between them and their highest hopes.

Policy, as well as humanity, dictates the suppression of this disgraceful commerce. While the slaves are liable to be sold, at any time, from the land of their birth, and separated forever from the friends whom they love, they can feel but little interest in the prosperity or peace of the community amongst whom they sojourn. Those who are thus liable to removal, are therefore likely to be less profitable to themselves or their masters, than they would be under a more stable tenure. But this is not the worst part of the evil. Elopements from

the vicinity of the free states, are doubtless much more frequent than they would be, if the slaves were secure of a permanent residence. The terror of a sale, when none was intended, has unquestionably driven many a faithful slave to elope from a situation in which he would have been very willing to remain. And many a fugitive slave, no doubt, finds encouragement and protection, from the credit allowed to his tale, whether true or false, of actual or contemplated sale to a southern trader.

But a consequence still more disastrous may be reasonably expected. The principle of emancipation has been a long time, advancing toward the south. The opinion that the black as well as the white man, *ought to be free*, has become predominant over more than half the Union. The negro as well as the white man, has caught it. Even the slave in the vicinity of a non-slave-holding district, has grown up in the twilight of freedom. He has acquired some of those opinions, with which, when fairly matured, men cannot and will not be slaves. He has likewise the prospect of freedom, either for himself or posterity, at no distant day. Liberty is not to him, like news from a distant land, of questionable character, and little understood; he has seen it in possession of others, covered like himself with an African mantle. Sold and transported to a distant state, subjected to the control of strangers, whom he has never known in the character of playmates and friends of childish years, but who have been viewed only in the odious light of masters and overseers, he finds every faculty of his soul roused to desperation. The prospect of freedom, for-

merly almost within his grasp, is now removed to an immeasurable distance. Surrounded by a servile race, over whom his superior improvement must give him a predominating influence, it needs not the eye of inspiration to foresee the consequence. If under a vertical sun, white men cannot bear the toils of agriculture, what will they do amidst the clash of arms?

Slaves have no legal rights of property in things real or personal, and whatever property they may acquire, belongs in point of law, to the master.

This harsh feature is almost, if not altogether, peculiar to negro slavery. The law and practice in relation to this subject, which prevailed among the ancient Romans, as well as those admitted during the prevalence of villeinage, were noted in a former number.\* In our own days, the Polish slaves, prior to any recent melioration of their condition, so far from being dispossessed of what their own industry might procure, were endowed with property by their lords.† In this point, the Spanish

\* See page 9.

† "Every peasant, even the meanest, is provided by his lord with two oxen, two horses, and a cottage. In case of fire, the latter is rebuilt, and in case of death, the former are replaced by their owner. A certain fixed portion of their time and labour is appropriated to their lords, and the remainder they are at liberty to convert to their own profit or purposes. The number of days destined for their masters, varies in different provinces and on different estates; but in none is it so severe or exorbitant, as not to leave them time sufficient to cultivate their own little land. In some parts of Poland, the peasants are rich, or at least perfectly easy in their circumstances." Wraxall's Memoirs, quoted by Stephen. How different is this from West Indian, or American slavery.

VOL. I.—14

and Portuguese masters have manifested a greater regard to the rights of their servile dependents, than has appeared among their more enlightened cotemporaries, the English and anglo-Americans. Among them the property acquired by the slave, is *legally* his own, and cannot be seized by the master. It is asserted, and probably with truth, that the slave, in the British colonies, is permitted to enjoy his little peculium, without molestation from the master. This, however, is matter of favour, and not of legal right, and when *suspicion* of theft is attached to a slave, his own hard earned peculium, if thought sufficiently valuable, may be seized as remuneration. The best security that these degraded people generally enjoy, for the peaceful possession of what they can call their own property, is the smallness of its value, and the obvious necessity of leaving to them the means of support.

The slave being the *property* not of himself, but of his master, it would appear to follow as a necessary consequence, that his property, however acquired, belongs to his master, and from this simple, but comprehensive doctrine, the incident of slavery above noticed, has probably sprung. Accordingly it appears to have been tacitly admitted in the British West Indies, as law, without the intervention of any statutory support. In the United States, however, the legislatures of several of the states, have thought it expedient to prohibit their slaves from the attainment of property by special enactments.

In the laws of South Carolina, we find the following provision: "It shall not be lawful for any slave to buy, sell, trade, &c. for any goods, &c.

without a license from the owner, &c. nor shall any slave be permitted to keep any boat, periaugua, or canoe, or raise and breed, for the benefit of such slave, any horses, cattle, sheep or hogs, under pain of forfeiting all such goods, boat, &c. And it shall be lawful for any person whatsoever, to seize and take away from any slave, all such goods, boats, &c. and to deliver them to any justice of the peace, nearest the place where such seizure shall be made, and such justice shall take the oath of the person making such seizure, concerning the manner thereof, and if said justice shall be satisfied that such seizure has been made according to law, he shall declare the goods so seized, to be forfeited, and order the same to be sold at public sale. One half of the proceeds of such sale to go to the state, and the other half to him that shall sue for the same." A law nearly similar exists in Georgia, but in the latter, the master is restrained from giving permission to his slave to hire himself to another for his own benefit, under a penalty of thirty dollars "for every weekly offence, on the part of the master, unless the labour be done on his own premises." Enactments of a similar tenor are to be found in the laws of Kentucky, Tennessee and Mississippi. In the last of these states, a slave is forbidden to cultivate cotton for his own use, and the master, who permits him so to do, incurs a fine of fifty dollars. And every master, &c. who permits his slave to go at large and trade as a free man, is liable to a forfeiture of fifty dollars for each offence. An equal fine is imposed upon a master convicted of permitting his slave to keep "stock of any description."

The laws of Maryland and Missouri, contain provisions of an analogous character. An act of North Carolina, passed in 1779, directs, that "all horses, cattle, hogs and sheep, that one month after the passing of this act, shall belong to any slave, or be of any slave's mark within this state, shall be seized and sold, by the county wardens, and applied, one half to the support of the poor of the county, and the other half to the informer."

The civil code of Louisiana, contains the following declarations. "All that a slave possesses, belongs to his master; he possesses nothing of his own, except his peculium, that is to say, the sum of money or moveable estate, which his master chooses he should possess. Slaves are incapable of inheriting or transmitting property. Slaves cannot dispose of, or receive by donation *inter vivos* or *mortis causa*, unless they have been previously and expressly enfranchised according to law, or unless they are expressly enfranchised by the act by which the donation is made to them." And in the code of Practice, it is declared, the earnings of slaves, and the price of their service, belong to their owners, who have their action to recover the amount from those who have employed them." Hence it may be inferred, that a person who should employ a slave and pay him for his services, might be compelled to pay for them a second time to the master.

The judicial decisions in some of the states, have been consonant with these legislative provisions. In North Carolina, it has been adjudged that slaves cannot take property by sale, devise or descent, and that a devise of land, to be rented out for the

maintenance of a slave, was void. And in South Carolina, it has been held, that slaves cannot take by descent or purchase.

One interesting case of an early date is recorded, in which a doctrine more consonant to the feelings of humanity, was pronounced from the bench. A female negro slave was permitted by her master to find such employment as she could, and pay to him every month a stipulated sum. With industry and economy, she, in the course of a number of years, collected a sum of money, with which she purchased a negro girl, for whom she had formed a particular affection, and gave her her freedom. This girl was afterwards claimed, and taken into custody, as a slave, by the master of the woman by whom she had been purchased. A suit was instituted, and brought before a superior court of South Carolina, for the freedom of the girl. Chief Justice Rutledge, in his charge to the jury, observed, "If the woman chose to appropriate the savings of her extra-labour to the purchase of this girl, in order afterwards to set her free, would a jury of the country say No? He trusted they would not. They were too humane and upright he hoped to do such manifest violence to so singular and extraordinary an act of benevolence." The jury without retiring from the box, returned a verdict in favour of the girl; and she was accordingly set free. Had this woman human feelings, or was she formed with a soul fit only for slavery?

What evils, real or imaginary, these laws were intended to redress or prevent, or how far the rigour of law is mollified in practice, it is not in my power to explain. The acqui-

sition of wealth, to an extent which could be dangerous to the state, or materially injurious to its citizens at large, would appear to demand a degree of activity and intelligence which a servile condition is not calculated to produce. Whatever motives of expediency may be urged for the enactment of such degrading laws, they appear to me as incompatible with an enlarged and liberal policy, as with the principles of justice and humanity. If slavery is admitted, on all hands, to be a forced and unnatural state; if the slave is the natural enemy of his master, even of the most humane and indulgent; if such a system neither can, nor ought to be perpetual—it then becomes the part of an enlightened policy to pave the way for its easy and peaceful extinction; to steer prudently down the current which they cannot stem. Every measure which tends to raise the minds of the slaves to the comprehension of moral motives, must contribute towards a preparation for freedom. It is not to be expected that the slaves can entertain an exalted conception of the regard due to the property of others, until they know by experience something of its nature and advantages. When they find their own rights, and the produce of their own labours duly respected, then, and not till then, can they be expected to appreciate the rights of others. It is a well known proverb, that a slave is synonymous with a thief. In proportion as the produce of labour is rendered secure, will arts and industry flourish. And though the possession of property, beyond a very limited amount, is scarcely compatible with the state of slavery in the United States, yet to

allow the slave an undisputed enjoyment of his slender peculium, and to facilitate its enhancement, would unquestionably give him an interest in the prosperity of his country, and teach him that he had something to lose in case the existing order was disturbed. Probably no other boon, short of absolute freedom, would more powerfully contribute to elevate the negro slave, to call forth his dormant intellect, to generate a prudent regard to the future, and to transform the mere animated machine into man.

The subjoined are extracted from a series of essays, now in the course of publication. They are the production of a society recently established at Alexandria, (D. C.) for improving the condition of the people of colour.

ON THE COMPARATIVE COST OF FREE  
AND SLAVE LABOUR.

It has been too much the custom of those who have treated on the subject of Slavery, in this country, to overlook the interests of the master and his posterity, while they have been contemplating the deplorable effect it produces on the slaves. We shall, therefore, direct our attention, first, to the relative cost of free and slave labour, and the effects of each upon public and individual prosperity.

The productiveness and economy of labour, being the only foundation on which national wealth can be established, it becomes an inquiry of the first importance, whether the labour of freemen or of slaves is the cheaper to the employer.

"It is," says Clarkson, "an old maxim, as old as the days of Pliny and Columella, and confirmed by Dr. Adam Smith, and all the modern writers on political economy, *that the labour of freemen is cheaper than the labour of slaves.*"

It is acknowledged by all persons who have visited the different states of this confederacy, that the non-slave-holding states generally exhibit a striking superiority over the others, in the value of their permanent improvements, in the cultivation of their lands, and in the industry and general competency of their inhabitants. Their superiority in pecuniary resources is also proven by the great public works they have executed, the large capital they have invested in manufactures, and the great extent of their commerce. They are, therefore, richer in every respect, than the southern or middle states, and from whence does this superiority arise, if not from the greater productiveness of *free* than of *slave labour*? The soil and climate of the slave-holding states, are generally far better adapted for producing the necessities and comforts of life, than the bleak and rocky shores of New England; and at least equal in this respect to New York or Pennsylvania. Virginia has also been longer settled than any of these, and ought, therefore, to be further advanced in opulence and improvement.

It may, perhaps, be replied, that foreign commerce and domestic manufactures have enriched the eastern and northern states; but why should not Virginia and Maryland have equally shared the advantages of these lucrative employments? They have as fine bays, as noble rivers, and as good harbours as the other states. They produce a greater variety and abundance of commodities for exportation, and of materials for manufactures. Water power is not wanting, and capital will always flow where profits may be reasonably expected. But the character of our labouring population, especially where slaves are most numerous, is the cause why we cannot compete with the non-slave-holding states, either in navigation or manufactures. Slave labour is *too dear* to come into competition with the productions of free labour, without a ruinous loss to the master. The existence of slavery has also the effect of driving away many of the best of the labouring classes of the whites, and of corrupting those who

remain, so that they are unfit for any useful employment.

But foreign commerce is not absolutely necessary to the prosperity of a state. Ohio has scarcely any foreign commerce, yet the rapid increase of her population, the excellent cultivation of her lands, the progress of her domestic manufactures, and the extent of her public works, now in progress, announce a degree of prosperity hitherto unexampled in so young a state, and call for the admiration of all who visit that peaceful and happy community. Although at so great a distance from the seaboard, she already competes with us in one of our staple commodities. Her tobacco, cultivated by free labour, after being transported three hundred miles in wagons, is sold in our markets, and affords a better profit to the grower than is yielded to the Maryland and Virginia planters, who have a market at their own doors. This is, we think, a most conclusive evidence of the greater economy of free than of slave labour, and the same state exhibits a no less evidence of the moral effect of a free population, in promoting public enterprise, general intelligence, and virtuous habits.

Within a few years past a number of manufactories have been established in the neighbourhood of Baltimore, which are almost entirely carried on by free labour. The circumstance of their employing free labour in a slave-holding country, shows that they have found it more to their interest to do so. It has no doubt been found that they could not in any other way bring their fabrics into successful competition with those made in the eastern states. But still it is found that some kinds of domestic manufactures do not flourish there to the same extent that they do in the free states, and the only reason that can be assigned for it is the character of the population. The wages of the labourer must always be sufficient to maintain him, and in Maryland it costs him more to maintain himself than it does in New England; because slavery has introduced into his neighbourhood that want of domestic economy which always results from it,

and because most articles of consumption being the produce of slave labour, are dearer than they are in free states. It is true that bread-stuffs are cheaper, owing to the greater fitness of the soil and climate for producing them, but the poor generally buy these articles by retail, and a pound of flour is sold nearly as cheap in New England as in Maryland: but even supposing it to be a cent in the pound dearer, this will add very little to the expense of maintaining a family, and is much more than counterbalanced by the greater cost of almost every other article of consumption. It is, indeed, a remarkable fact, that cotton and wool raised in Virginia are transported to New England, manufactured there into cotton yarn or cloth, and brought back again to Virginia, and sold cheaper than the same fabrics can be made here, although large quantities of the bread-stuffs used by the manufacturers are also taken from Virginia. It seems then that *free labour is so much cheaper than slave labour*, that they can afford to pay a profit here to the purchaser of the cotton or wool, a freight on them to New England, a commission to the merchant who buys them there, a profit to the manufacturer, a freight back again to Virginia, and a profit to the merchant who sells them here, and still sell them cheaper than they can be manufactured by a person here, who buys the materials at his own door, and sells the fabric in his own neighbourhood!

If any further evidence were wanting to prove the greater advantages of free labour, it will be abundantly furnished by the greater affluence of those parts of the upper counties of Virginia where slaves are least numerous, and by the general independence of those industrious families and religious societies, who have for a length of time depended upon voluntary labour.

An inhabitant of Virginia, on visiting the northern and eastern states, is forcibly struck with the contrast they exhibit to his own. He can travel but a few miles in New England without passing a flourishing town or a beautiful village, where the man-



sions of the rich are surrounded by the neat and comfortable dwellings of the poor, and where every house appears to be the abode of contentment, and every countenance wears the smile of cheerfulness. From almost every eminence that he ascends, he can see the village spires shooting up in all directions around him, and almost every stream that he crosses, contributes its strength to some flourishing manufactory.

In the western part of New York, he will be still more astonished to behold the works that have been accomplished, within a few years, by the industry and enterprise of a free population. Their well cultivated fields, their populous towns, and their prosperous villages, have sprung up with a rapidity that seems like the work of enchantment, and they are still progressing with a pace accelerated by the assurance of success.

After witnessing these scenes, let him return to his own state—a state that is peculiarly dear to all her sons, from the remembrance of her former greatness—and what will be the nature of his reflections?

In those parts of the state where slaves are most numerous, he beholds her towns generally stationary, and some even in a state of decay. He sees large tracts of land ruined by bad cultivation, and thrown into common. The mansions of the rich seem, generally, to speak only of former grandeur, while the hovels of the poor, and the cabins of the slaves, exhibit the extreme of wretchedness.

In contemplating this scene he is forced reluctantly to withdraw his gaze from the last rays of her departing glory, and fix a desponding eye upon the dark cloud that hangs over her future destiny.

But lest this picture should seem to be coloured too darkly, and be attributed by some to the gloomy imagination of an abolitionist, we will present one drawn by a slave-holder in this neighbourhood, who stands deservedly high in public confidence, and is no less distinguished for the excellence of his judgment than the benevolence of his feelings. The expressions which follow, will be

found in the controversy between Caius Gracchus and Opimius, on the American Colonization Society.

Speaking of the “moral principle in society favourable to emancipation,” which the Colonization Society had been charged by Caius Gracchus with “attempting to create,” Opimius replies: “But the little, the very little danger to be apprehended from the moral principle which the society is charged with attempting to inculcate, cannot be better attested than by the simple fact that during the eight years of its existence the country which a “single spark,” it is said, “would be sufficient to throw into a flame,” has remained undisturbed, even in its most delicate relations. And what, let me ask, is the object to be effected by this “moral principle?” The removal of a population cruelly forced on the present generation by those who have preceded it—a population equally injurious to our morals, our wealth, our political purity, and our physical strength—a population which Caius Gracchus has not more eloquently than justly described as “degraded and debased from the very knowledge of their condition as slaves, dissolute and abandoned in their moral character, and with passions and feelings of the most lawless and brutal kind.”

And is it possible that any rational man, any “member of a christian community, and citizen of a republican country, can seriously object to the operation of an influence whose object is the removal of such a population? If a feeling of justice does not prompt us to restore to others when we can, what has been forcibly wrested from them, if a sentiment of philanthropy inspires us with no wish to civilize and enlighten a benighted portion of the world—if we do not feel under obligations to carry to Africa, whom we have injured, the healing balm of the religion in which we believe—yet let us not be deaf to the calls of patriotism, let us not look with cold indifference on our country, gifted by nature with every advantage of soil and climate and location, hourly diminishing in its wealth, losing its comparative weight

in the nation of which it is a part, subjected to a system of legislation foreign to the principles it professes, and destined, perhaps, to rely in the end for its own security on the strength of others, and not on its own resources."

"Is there any inhabitant of the south who will pronounce this picture overdrawn? or is there any citizen of Virginia who will attribute the evils it presents to *any cause than the character of our population?* Let him look to our languishing agriculture, our deserted farms, our decayed fortunes, our decreasing population; let him cast up in his own ledger his profit and loss account for the last fifteen or twenty years, and then let him say whether the labour of the slave is not a curse to the land on which it is expended? But I forbear, the theme is as fruitful and as inspiring as it is delicate.

"The sentiments I have uttered are the sentiments of a slave-holder, of one, too, whose interests are peculiarly those of the country in which he lives. He has examined this subject in all its bearings, and he unhesitatingly pronounces an early and a combined operation of the states and general government, essential to preserve the country from progressive debility and premature decay."

OF THE CAUSES WHY SLAVE LABOUR IS  
DEARER THAN FREE LABOUR.

From the facts and testimonies adduced in our second number,\* we think it is evident that the labour of freemen is actually cheaper to the employer than the labour of slaves. This evidence we chose to draw principally from facts in the history of our country which may come within the knowledge of every reader, rather than rely entirely upon the experience of other countries, as recorded by former writers, and which, in every instance goes to prove the same position with an increasing weight of evidence. We shall, however, when we

come to speak of the means of preparing slaves for manumission and colonization, state the result of some experiments that have been made in other countries for this purpose, and which also afford additional confirmation of the position advanced by Dr. Adam Smith, in his able work on the wealth of nations—"That the work done by freemen, comes cheaper in the end than that performed by slaves."

As this position is so contrary to the usual habits of thinking among many persons in the southern and middle states, we will endeavour to show the principal causes why the labour of slaves is so expensive to the employer. Although it may seem, at first view, that the slave costs his master no more than his food and the coarse clothing he has allowed him, yet there are other items of expense often overlooked, that are, perhaps, greater than both of these. The most prominent among them is, the expense of rearing children, to replace the slave, when he shall be worn out by labour, or released by death. This expense can in no wise be avoided by the master; for if he purchases his slaves, instead of rearing them, he must pay the expense that has been incurred by another; and when he comes to estimate the interest on the stock so invested, and the value of its annual depreciation, he will find it amounts to more than half the hire of a free labourer. Suppose, for instance, that a young man slave costs \$400, the interest on this sum is \$24 per annum, which is a fair item of expense, because it could have been invested so as to bring this interest. But he cannot calculate upon the slave living more than twenty years after he attains to maturity—the average term of human life is not so long—he must therefore set apart \$20 per annum, for twenty years, in order to replace him when he shall die, or become too infirm to work: in the event of his living much beyond this period, he must also set apart some of his former earnings to maintain him in his old age; but this we will not take into the account, though it is a fair item of expense. The clothing of a slave, to keep him in tolerable com-

\* The first number of this series is omitted because it does not relate particularly to the objects of this journal.—ED. AFRICAN OBSERVER.

were returned without 'distinction of age or sex. In the year 1820, an improved, but still imperfect, census was taken. It is to be regretted that an arrangement of the slaves and free coloured race, similar to that adopted for the white population, had not been pursued throughout the enumerations. It would be interesting to compare the relative numbers of the several classes, in the different periods of their existence; and to trace, by the light of unquestionable documents, the effects of slavery, on the duration of life. A question of great importance to the people of these United States, the comparative cheapness of free and slave labour, might probably have received some illustration, from such comparisons, as a complete and uniform census would have enabled us to make. Unfortunately nothing of the kind can be drawn from the three first; and the comparison to be made by means of the last enumeration, loses a part of its interest, from the extent of the periods. We have, indeed, the white population sufficiently subdivided; the numbers, being given under ten, from ten to sixteen, from sixteen to twenty-six, from this age to forty-five, and those of forty-five and upwards. But as the slaves and free coloured people are divided by the ages of fourteen, twenty-six, and forty-five, no comparison of numbers can be made between the black and white for any age below twenty-six. A comparison at either ten, fourteen or sixteen, would probably have furnished some interesting results. Instituting a comparison for the only practicable periods, the relative number of the several ages, and of each class, in each of the states where slavery pre-

vails to any considerable extent,\* is given in the subjoined table.

DELAWARE.			
	Und. 20	Bet. 20&45	45&up- wards.
Free white males,	100	29.4	17.1
Free white females,	100	29.8	17.8
Male slaves,	100	16.1	6.5
Female slaves,	100	14.7	8.2
Free col. males,	100	29.2	27.7
Free col. females,	100	31.7	25.5
MARYLAND.			
Free white males,	100	32.1	19.5
Free white females,	100	30.5	18.2
Male slaves,	100	27.0	15.3
Female slaves,	100	25.9	15.3
Free col. males,	100	32.9	31.2
Free col. females,	100	38.3	31.7
SOUTH CAROLINA.			
Free white males,	100	26.0	16.4
Free white females,	100	25.4	16.1
Male slaves,	100	37.6	17.6
Female slaves,	100	34.6	16.6
Free col. males,	100	30.7	25.6
Free col. females,	100	38.8	32.6
ALABAMA.			
Free white males,	100	26.8	12.8
Free white females,	100	22.1	9.6
Male slaves,	100	25.9	8.3
Female slaves,	100	24.7	6.8
Free col. males,	100	33.8	24.3
Free col. females,	100	36.2	21.9
LOUISIANA.			
Free white males,	100	44.4	19.1
Free white females,	100	24.4	13.4
Male slaves,	100	46.6	15.4
Female slaves,	100	34.6	10.3
Free col. males,	100	29.3	15.0
Free col. females,	100	36.6	21.9
COLUMBIA.			
Free white males,	100	41.4	18.8
Free white females,	100	35.0	18.1
Male slaves,	100	33.2	15.6
Female slaves,	100	30.2	16.2
Free col. males,	100	31.9	26.3
Free col. females,	100	39.8	28.5
VIRGINIA.			
Free white males,	100	27.8	18.3
Free white females,	100	27.1	17.4

\* Except Missouri and the territories on the Mississippi, where the settlements being mostly of recent formation, it was judged unnecessary to notice them.

Male slaves,	100	30.3	15.5
Female slaves,	100	28.2	15.0
Free col. males,	100	26.0	22.0
Free col. females,	100	30.9	25.2

NORTH CAROLINA.

Free white males,	100	24.5	17.2
Free white females,	100	26.0	17.2
Male slaves,	100	24.5	13.9
Female slaves,	100	25.9	13.3
Free col. males,	100	21.5	22.2
Free col. females,	100	27.6	20.7

GEORGIA.

Free white males,	100	25.3	15.4
Free white females,	100	23.0	13.5
Male slaves,	100	30.8	13.3
Female slaves,	100	30.5	11.4
Free col. males,	100	34.3	27.8
Free col. females,	100	35.0	28.5

MISSISSIPPI.

Free white males,	100	32.2	14.5
Free white females,	100	21.9	11.2
Male slaves,	100	35.0	10.1
Female slaves,	100	30.5	8.5
Free col. males,	100	32.9	25.4
Free col. females,	100	32.4	28.7

TENNESSEE.

Free white males,	100	21.6	14.7
Free white females,	100	24.3	12.7
Male slaves,	100	21.4	9.3
Female slaves,	100	23.6	9.1
Free col. males,	100	23.4	23.3
Free col. females,	100	28.5	21.0

KENTUCKY.

Free white males,	100	23.8	15.6
Free white females,	100	22.9	13.4
Male slaves,	100	22.5	9.0
Female slaves,	100	32.2	11.9
Free col. males,	100	32.8	39.5
Free col. females,	100	32.8	37.7

From an inspection of this table, it appears that slavery is unfavourable to the continuance of life. Comparing the number of whites between 26 and 45, answering to 100 below 26 with the corresponding class of slaves, we find in Delaware, Maryland, Columbia and Tennessee, the superiority on the side of the former. The states of Kentucky and Alabama, furnishes a similar result on the male side. In Tennessee, however, the difference is trifling, and in North

Carolina scarcely perceptible. In the other states, including the female side in Kentucky and Alabama, the scale within those ages, preponderates in favour of the slaves. The inference to be drawn from the table, thus far, seems to be, that a larger number of the children born among slaves, pass the age of twenty six, than of those born of white parents. In Delaware, indeed, the relative number of slaves between 26 and 45 falls so far below the corresponding number of whites, as to induce a suspicion that this result is produced by some cause which is not at once perceived. It might be supposed, that manumissions, granted at an early age, had sensibly diminished the number of slaves; but as the free coloured population preserve nearly the same proportion within these ages as the whites, this explanation becomes rather questionable. Where slaves are allowed to be sold beyond the limits of the state, there is no doubt but the sales would be marked in the relative numbers of this class; but as such exportation is prohibited by the laws of Delaware, we can hardly suppose the traffic is prosecuted there to any great extent.

Extending the comparison to the third period of our existence, the truth of the proposition above announced, becomes instantly apparent. The relative number of slaves of 45 and above, with but a single exception, and that a trifling one, falls below the number of whites of the same age. Such an unvaried result, must arise from a general, and not an accidental, cause.

This difference in one case, (the males of Delaware) exceeds ten per

cent.; and is as often above as below three per cent. of the original number. We might suppose that the number of slaves beyond 45 years of age, was sensibly reduced by manumissions, if the existing laws and the enumeration of the free coloured population did not deprive us of so consolatory an explanation. In Virginia, the relative number of male slaves of 45 and upwards, falls nearly 3 per cent. below the number of the corresponding class of whites, and yet the whole amount of free coloured males of the same age, is only 2808, or something less than two per cent. upon the slaves below 26. In Tennessee, the deficiency among the male slaves, is upwards of 5 per cent., and the whole number of free coloured males above 45 is but 238, being less than one per cent. on the number of male slaves below 26. In Alabama, the number of male slaves of 45 and upwards, falls more than 4 per cent. below the corresponding number of whites, while the whole number of free coloured males of the corresponding age is only 49, being but a third of one per cent. on the number of slaves of the lower age. In like manner we find the number of male slaves of 45, in the state of Kentucky, more than 6 per cent. below the corresponding number of whites, though the whole number of the free coloured males of the same ages, does not make up one per cent. upon the number of slaves below 26.

As no sufficient explanation of this phenomenon occurs, except an absolute waste of life, I shall examine the extent of this waste, in a few of the states, as presented by the enumerations before us. I shall admit that the climate of the districts under

review is equally favourable to the different classes of their inhabitants, and that the original stamina of their constitutions are equally favourable to longevity; an admission by the way, which is probably incorrect, as the African race, under similar circumstances, are generally more firm and robust than the whites.

In Virginia, we have, by the census, free white males under 26, 208588; over 45, 38245; male slaves under 26, 149672; a fourth proportional to which numbers is 27442; exceeding the actual number of male slaves over 45, by 4278. A similar calculation produces a deficiency among the female slaves of 3501. Pursuing the investigation, we find the deficiency,

For North Carolina, 2555 males,  
2758 females.

Georgia, 1107 males, 1092  
females.

Alabama, 535 males, 315 females.

Louisiana, 834 males, 695 females.

Tennessee, 1641 males, 1034 females.

Kentucky, 3208 males, 699 females.

Amounting in these seven states, to 24252 individuals.

That this awful deficiency indicates, an *actual*, and not a mere *calculated* waste of human life may be inferred from the fact, which the foregoing table likewise proves, viz. that a greater proportion of the free coloured race, than of the whites survive the age of forty-five. For by inspecting the table, we find, with a single exception, the relative numbers in the last period of life preponderate on the side of the free coloured race. And it may be observed, that this is the case not only in the southern states, where a few slaves, obtaining their

freedom in the later periods of life, might be supposed to increase the apparent longevity of the free coloured population, but a similar relation appears in the relative numbers within the state of Pennsylvania, where the decline of slavery has long left little for manumission to do, and where the number of free coloured persons, upwards of 30000, is too great to be sensibly affected by a few fugitive slaves from the south.

The opinion which has been frequently expressed, that the poverty and wretchedness of the free coloured population are adverse to longevity, appears from the foregoing table to have been too hastily adopted. At least we find that if these causes have shortened the lives of the free coloured race, some cause equally powerful has curtailed the period allotted to their fairer compatriots.

A comparison between the free coloured inhabitants, of the slave-holding districts, and the slaves, within the ages above specified, furnishes a result still more striking and impressive. The whole number of free coloured persons under 26 years of age, resident in the states and territories, south of Pennsylvania, in the year 1820, was 85813, the number of 45 and upwards 22385, and the number of slaves under 26, within the same limits 1076802, a fourth proportional to which is 280892. This ought, therefore, to express the number of slaves of 45 and upwards, in case their lives were equally extended with those of the free coloured race; supposing also that no manumissions took place, and no free coloured persons were by any means converted into slaves. The actual number according to the census, was 141,845;

being no less than 139047 short of the proportional number. This, after all reasonable allowances are made, appears to indicate an unquestionable and fearful waste of human life. This insulated fact, furnishes a pathetic appeal to the friends of humanity, for the exertion of their most strenuous efforts, to abolish as speedily as prudence can admit, so dreadfully destructive a system.

#### ON SLAVERY.

*Continued from page 80.*

Wherever wealth is expended upon one species of property, in preference to any other; where the mistaken charity or policy of Britain has, by its poor rates, encouraged pauperism, the increase has been proportional to the expense bestowed. That property the most steadily productive, will always attract the most permanent capital. And negroes form the most certain species of traffic. How many estates are paid for in negroes? How often do the whole profits of an estate consist in the increase of its negroes, and in that alone?—a fact verified by the sales which generally take place at the decease of a great proprietor. Are not these people a resource to Virginia as ample as to us our hogs and cattle? Do not our slave dealers visit that state as regularly, as formerly, our slave ships the coast of Guinea? Has any man resident there failed to observe, that many had no other income than the periodical sale of one or more negroes? And so long as these people are considered as valuable property, so long must their comparative growth exceed that of the whites: nor can any means be found to enable the latter to keep pace with them, except that of giving them an equal chance with the blacks, to obtain employment, without derogating from their respectability.

These reflections are unthought of among us: and yet we read Malthus. We are told that the noblest republics of antiquity sanctioned the practice. They did. Read yet a little farther, and learn their fate. Athens, at the

latter end of that war which ended in her ruin, saw herself deserted by thirty thousand slaves, a number little less than the whole body of her active citizens, and which furnished her most useful artizans. Their flight hastened the subjection of their masters, who, under the tyranny of the thirty, expiated their own. Tyre perished by her slaves in a single night. The guilt of Sparta was greater, and her punishment proportionally protracted: Driven from their beloved country, the surviving Spartans never beheld it nearer than from the ground occupied by a Roman army, which besieged their native capital, at that time a prey to their slaves, confederated with the vilest of mankind, who had placed in the seat of Lycurgus a monster compared with whom Nero himself might have been termed merciful. To this wretch the Roman commander granted a truce, and added to it conditions that mark but too strongly the deplorable case of the Spartan exiles, who, with their king Agesilaus, followed in his camp as refugees. Their wives, children, and effects, were to be returned; but as the women had been subjected to the ruffians and slaves of the tyrant, it was expressly stipulated that no woman should, against her will, be sent back to her husband.

Yet, 'dreadful as they were, the sufferings of the Spartans terminated in one generation. Rome, as more guilty, endured more. Her conquering citizens were driven from their native soil by her usurious chiefs, who replaced them by slaves, literally in fetters. And in their turn, they, or their descendants, bowed down before the slaves of the emperor's first slave, and were even proud if they could attract their notice. They were liable to be seized, and dragged before the tribunal, on a charge of high treason, by their own slaves. The greatest general might be visited, and checked in the course of his victories, by a fellow whose back yet bore the marks of the ignominious scourge. These were the insults, the deep felt indignities, under which individuals laboured. The public escaped not the disgrace. The senate exhausted their ingenuity to evince their attach-

ment to the master, by their adulation to his freed men—a degradation inscribed by their votes, not only in the records of their body, but on columns of marble. The disgraceful story is told in Tacitus, and evinces them to have been truly the slaves of slaves. Philosophy, at the same time, in the person of Seneca, stooped to equal baseness. What would have been the feelings of a Cato, could such a state of things have been predicted to him? They would have been such as may be expected in an American of the present age, if told that his descendants must one day bow down to negroes; that from them they will have to receive the orders of a king; and to them to deliver whatever they may possess of precious, or attractive, without exception of wives and daughters, in the hope of propitiating their good will. One was as little likely as is the other. But the same Providence which, in the Roman republic, ordered that its early enormities should be expiated by the sufferings of five hundred years, still exists, and has decreed that punishment shall ever run parallel with crime. Get rid of these people—and your sufferings shall be lessened: retain them till circumstances set them free—and your punishment shall be great indeed. In the former case, they may continue long an embarrassment to you: in the latter, they must prove your destruction, perhaps something worse.

The Romans possessed an advantage to which we cannot look. From among their slaves, all whose personal merit might have rendered them dangerous, became a valuable addition to the stock of freemen, and proved a stricter guard over their former comrades than those who had been born to the liberty which themselves had acquired; while their promotion alleviated, by hope, the situation of those in bondage. But this resource is forbidden to us, by colour. Contrast with the adoption of the Roman slaves, the total exclusion of the mulattoes, those who are destined to furnish the future chiefs of insurrections. Would I then admit them? No: their admission—between their aspiring nature and the pride of the whites—would but accelerate the evil. And, not-

withstanding the advantage of adoption possessed by the Romans, the system of slavery would have proved its own bane in Rome, as well as in Tyre and Sparta, had it not been counteracted by the irresistible discipline of the legions, which, on various occasions, prostrated the desperate valour of the insurgents. Their story is read with pity; and the name of Spartacus will be embalmed in the memory of those who contemplate him dying in a cause infinitely more just than that for which Tully pleaded and Brutus perished. Add that the Romans fought their slaves single-handed; an advantage we must not look for. What kind of contest is this, in which the sons of liberty in every part of the globe, are compelled to oppose at least their wishes against their brethren? Yet 'tis as natural for the European to feel indignation on hearing the negro's piteous tale, as for the American to do so on a perusal of the *Vendicix Hibernicæ*.

We are as little able, from our institutions, to imitate the Romans in a standing army, as, from our prejudices, we are to incorporate our slaves among ourselves. An army may be forced upon us by the increasing numbers of our slaves; but whenever that occurs, the general of that army will command both masters and slaves. What civil force will suffice to control from ten to fifteen millions of slaves— with whose increase in the south, the number of the whites will have diminished in proportion? The danger will compel a military force, which under a despot, will impartially crush both colours. He will then, like the king of Brazil, make a white man of a negro, when that negro's services merit such reward: nay, should a sable mistress engage his fancy, he will elevate her relations to the highest dignities. Perhaps I may offend by touching upon a subject so peculiarly disagreeable. Yet an eminent Virginian, Patrick Henry, proposed to blend with the Indian race: and by one personally acquainted with him, I am assured, that he mentioned the union of the two more distant colours as the only mode of preserving liberty, if not existence. "Join, or die"— was, in his opinion, as suitable to this

subject as to the Revolution. But these sentiments he never made public. The very man who first proposed the division of the empire, durst not openly advocate the union of the colours. Had he ventured it, he would have been silenced by general execration. Those for whose immediate relief and safety he was the most solicitous, would have felt the keenest rage, the deepest indignation; the disparity of the races being in exact proportion to the number of slaves compared to that of the masters. It is then impossible that you should agree to a spontaneous union. And if you employ an army, despotism ensues, which must be followed by compulsory union. Take neither course; retain your slaves; and their increasing numbers must and will take possession of the soil which their ancestors have tilled. The irreversible decree of nature is, that labour shall supplant indolence. It has been exemplified in the persons of the whites and Indians: is not a similar effect to follow in that of the negroes and the whites?

Patrick Henry's sentiments were participated by Bonaparte, who proposed the desperate expedient of permitting bigamy to every male, provided each wife differed in colour. Such a law may be considered an absolute impossibility; but the conception of the necessity for something equivalent, in men so widely separated as the veteran republican and the fallen emperor, may be allowed to prove the importance of acting and that without delay. For, should insurrection take place within ten years, we can put it down easily; perhaps, within twenty we may do the same; but if deferred till fifty years hence, the proportion of whites will by that time be so small, that your slaves, when awakened, will find that they are the nation; and they will then address you in the well known language of revolution, "For a people to be free, it is sufficient to will it." Should you acquiesce, they may, perhaps, condescend to receive your daughters and your estates. But should you, feeling the indignant spirit of masters assailed by slaves, act accordingly, the war will assume the ferocious as-



pect naturally to be expected, and the whole white race will be swept like a cob-web before the overwhelming negro population. The two races have their ratio of increase. If the ratio of increase in A. is permanent, while that of B. lessens proportionally to the increase of A; in the end the numbers of A. must exceed those of B. in a ratio so vast as to ensure superiority. Quere—What time would be required to give the negroes a tenfold superiority to the whites?

Painful and invidious is this subject. But surely it is better to rouse my friends at dead of night, than to suffer them to perish in the flames. Yet I fear that I am more likely to gain reproach than thanks, by that good will which has led me to attempt a subject particularly tender in a slave state, where, even in his own house, the father does not touch upon this topic till he has ascertained that no slave is within hearing.

There yet remains one chance of salvation. Get rid of these people, at whatever cost. To this, however, the gentlemen of the south do not seem to pay any very serious attention. Contented with talking about their Guinea colony, the only mode in which they propose to remove slavery is by extending it as widely as possible at home. But they may rest assured that if they cannot exist without negroes, the negroes both can and will without them; and that if they are really willing to part with them, they must do so instantly, or find means to stay their increase. Two millions may be exported: six or eight, it is impossible even think of.

The villeinage of Europe is mentioned as something parallel in our domestic slavery. Wide is the difference. The humane provisions existing in the law for freeing the villein are well known. His residence in a corporation made a freeman of him. The abuse of his wife by his lord, freed him. The laws were *always* construed favourably to freedom, where villeinage existed. Are they *ever* so in a slave state? The villein could not be separated from his wife and children. Hence he had a country, and could be called upon to defend it. Russia ex-

perienced their services in the present day: while we were obliged to drive our slaves from the sea-coast, as well knowing that they would willingly desert their masters. To defend that coast, we were compelled to call down the mountaineers. They came, and on the uncongenial soil they perished—

Wasted with disease and anguish,  
Not in glorious battle slain.

Many hundred strong men are said to have taken up their last abode on the sultry sands around Norfolk, whither they were marched, a distance of two hundred miles, for the purpose of defending that soil from whence its cultivators, born there, and inured to the climate, had been driven, lest they should fly for shelter to the enemy. Yet this is the population which we are assiduously spreading over the country, in preference to poor whites; and which, but for the interference of Congress, we should have had to oppose to the arms of Russia from the west. And to this kind of population the slave holder must look, to defend the barrier to the power of Mexico, which, when emancipated from Spain, will present to us a compact population of freemen. Nor will their being a different colour, form a circumstance in our favour.

On the contrary, whenever the slave states are invaded by black regiments, then, and then indeed, will the day of retribution have arrived. The native whites are not sufficiently numerous to defend the soil. The states thickly settled by white men are far distant; and, when arrived, the northern bodies will speedily sink under the withering influence of a southern sky. The slave will then inform you, that he has rights as well as you. What would have been the fate of New Orleans, had blacks able to endure the climate, waited the attacks of disease, which, soon after our providential deliverance, wasted the troops from Tennessee and Kentucky, before they could escape from the deleterious spot which so short a time before had witnessed their glory? What kind of defence was presented

in the slave states, when Cornwallis marched through them?

‘Despair was in his van, with flight combin’d.’

The Assembly of Virginia, in all the plenitude of their patriotism—at a time when their high wrought souls would have sustained an honourable comparison with those senators who waited, self-devoted, the approach of Brennus—fled before him. They could do no otherwise. They had no peasantry to support their unavailing courage. Before negroes became numerous in Virginia, white men came to Hampton as servants. But this kind of importation has long since ceased. What white man can endure labour in a state where it constitutes a mark of slavery? Hume remarks, that Lycurgus might have spared the prohibition of silver, if he had known the use of paper; for that wherever the latter appears, it expels the former. (This, our present experience evinces.) And if ever you wish to expel the labouring freeman, introduce slaves, and the business is done—done for ever.

— A bold peasantry, their country’s pride,  
When once destroy’d, can never be supply’d.

But this mode had not been practised in New England: therefore her sons numerous as brave, at the appearance of the best army that ever stood upon the continent, met their foes “dareful beard to beard,” and, in spite of the pride of discipline, compelled regular troops to pile their arms in presence of militia. Was it not through a slave state, although highly patriotic, that the British troops proceeded to Washington? They would as soon have charged bayonet on the raging ocean, as have attempted to penetrate the same distance into Massachusetts, although the seat of the Hartford Convention.

A gentleman of Virginia, endued with the penetration of a statesman, and the spirit of a patriot, has exposed the danger of the banking system, considered by him as tending to merge the property of the poor in that of

the rich. But he forgot that, before his eyes, was fast arising another power, predestined to engulf both the rich and the poor together. That the southern states must one day sink under this domestic evil, was foretold many years since. But the author of the prediction was not a resident of those states; had he been so, custom would have removed the danger from his eyes. When first the new comer in the West Indies sees himself surrounded by black faces, he feels his flesh quiver: but habit familiarizes every thing; and the same man, after a few weeks, calls out the stoutest fellow in the gang, and orders him to lie down, and receive a flagellation from one of his nearest relations. From this principle, and from this alone, can I account for the supineness of the gentleman alluded to. Were it not for this, he would shudder when he counted the numerous births upon his plantation; and the reflection, that an enemy came in each, would compel him to turn his uncommon abilities to a subject of rather more importance than the banking system—to a subject which calls loudly for the attention of our best men, while there is yet left a chance, though precarious, for our future safety.—Heartily do I wish that these lines may meet his eyes, and induce him to bestow upon the subject the consideration it deserves.

NOTE.—The decease of the gentleman alluded to, has disappointed the hopes of the author.

(*To be continued.*)

#### AFRICAN FREE SCHOOLS IN THE UNITED STATES.

Perhaps, we cannot better exemplify the truth of our foregoing remarks, than by presenting our readers, to the best of our knowledge, with a list of African free schools. These facts will speak more eloquently, than any remark of ours, to the mind of the philanthropist. They at once show, that many things at which men of *common minds* wonder, viewed in connexion with their causes, have nothing in them of an extraordinary nature. Can the husbandman, if his fields be neglected during the time

of ploughing and sowing, expect a harvest? Can the mind of man, neglected during his youth, appear in after-life cultivated?

It may be expedient to premise, that we have thought it unnecessary to mention other places than those of note, where the coloured population is considerable. But to our list.

*Portland, Me.*—With a coloured population of nine hundred, provides *one school* for the education of their children, under the care of a mistress. Better things are in progress.

*Boston, Mass.*—With a coloured population of two thousand, provides, assisted by the liberal donation of the late Abiel Smith, Esq., *three schools* for the instruction of their children, viz. two primary, under the care of African female teachers, and a grammar school under a master. As we have more than once referred to the donation of Mr. Smith, perhaps a better chance may not occur for gratifying the curiosity of our readers.

[Abiel Smith, Esq. of Boston, left by will, for the support of a school for African children, \$4000 of three per cent. stock; thirty shares in the Newburyport Turnpike; twenty shares in the Second New Hampshire Turnpike; seventeen shares in the Kennebeck Bridge; five shares in the Bridge at Tiverton, R. I.; and five in the Bathing House, Boston.—*Notes to Dr. Harris' Sermon before the African Society.*]

*Salem, Mass.*—With a coloured population of four hundred, put a school into operation the last year, for the education of their children, but from causes unknown to us, closed it after six months.

*New Haven, Conn.*—With a coloured population of eight hundred, provides *two schools*, during *three months* in the year, under the care of a master and mistress.

*Providence, R. I.*—With a coloured population of fifteen hundred; and *Hartford, Conn.* with five hundred, provide *none*.

*Philadelphia.*—With a coloured population of twenty thousand, provides *three schools* for the instruction of their children, under the care of four teachers.

*New York.*—With a coloured po-

pulation of fifteen thousand, provides *two schools* for the instruction of their children, under the care of a master and mistress. Parents, we learn, who are able, are obliged to pay one dollar per quarter for each child.

We need not mention the names of any other places, as we know of none other schools. Seeing then, that the schools now in operation, for the education of our children, are so few and imperfect, ought *others* to wonder, that not many, after arriving at manhood, are fitted to take a respectable stand in society. What are the advantages to be derived from an instruction in these schools, compared to those of a higher and more elevated nature? What are the incentives held out to a lad of colour? Are there higher schools, to stimulate him to greater exertions? Is he placed, and considered, an equal with other boys in schools of the same rank? Do the committees or trustees, expect him to be as well grounded in the elementary branches? A little smattering, and a few words commendatory from his teacher, are all they look for from a boy of colour. The very idea of his colour, is enough to elicit praise from his learned visitors, when the same exercise performed as well by another boy, would pass unnoticed, and be considered as a thing of course.

[We suspect, it is unnecessary to mention, that much depends upon the teacher, as well as the pupil. We are so skeptical, that we cannot believe, that almost *any one* is qualified to keep a school for our children. Enemies may declaim upon their dulness and stupidity; but we would respectfully inquire, have they not had dull and stupid instructors; who, if placed in any other than a coloured school, would hardly be considered as earning *their salt*: but we must be silent, as any one who possesses a few qualifications (unnecessary to be here named) is, in the general estimation, fit to keep a school for us. We protest against such silence; and to show our sincerity, shall continually raise our feeble voice against the unequal advantages for education enjoyed by our children: and though upon the community at large, this may have little effect; yet we trust, there will be found, some

"unjust judges," who wearied with us, may strive in real earnest to do something for their education.

Let our children and youth be but once convinced, that as much is expected from them as from other boys of the same standing; let the elementary branches most essential to the business of after-life, be well fixed in their young minds; (neglecting exercises not of immediate practical use for a later period;) let public committees and trustees visit their respective schools more frequently, and examine more thoroughly, and see that teachers do not keep their pupils unprofitably employed, or exercised upon the same rules in arithmetic and grammar, or upon the same map in geography for a *show-off* against the visitation day, which may not take place more than once or twice a year. Let these *necessaries* be done, and, no good result from their operation; and then shall we be convinced that really we are of a *different species* and not variety, and that the Creator has, in his providence, designed us for "hewers of wood" and "drawers of water," and "beasts of burden," for our fairer brethren.

Writers, old and young, are fond of exclaiming that "there is a wide difference in point of intellect between the African and European. It is in vain to plead the degraded condition of the Negro—had not nature dealt out her gifts to him with a sparing hand we should not have remained so long without evidence of her liberality. There are some thousands of free blacks in America, but no one has ever given the least indications of an elevated mind." Taking it for granted, that the above refers more immediately to the United States, we call upon the advocates of the system to point us to one *individual* who has enjoyed to the full extent all the privileges of his fairer brethren. Though there are thousands of free people of colour in this country, yet to them the seats of knowledge have ever been as the temple of Janus, in time of peace. We will not enumerate the causes of their exclusion. They are well known. In South America and Hayti, where the man of colour is seen in all the dignity of man, freed from the prejudices, and endowed with the rights,

and enjoying all the privileges of citizenship, we behold him not a whit inferior to any of his fairer brethren. Conscious of his dignity, he acts and feels himself a man.

It is much easier for men to declaim, that things in their narrow conception of them, do not happen, than to investigate and maturely weigh the causes, which strike the man of cultivated taste as the only existing difficulty. The human mind fits itself to its situation, and to the demands which are made upon its energies. Debased and lowered beneath the standard of men, what incentives have we for action? No matter what his merits, no matter what his claims, no matter what his character, the man of colour sees himself and friends treated as the most contemptible vagrants: and all for what? because nature has stained him somewhat darker than common.

Conscious of the unequal advantages enjoyed by our children, we feel indignant against those who are continually vituperating us for the ignorance and degradation of our people. Let the most intelligent people upon earth be enslaved for ages—let them be deprived of all means of acquiring knowledge—let their very name be considered a byword through the land—and we venture to assert, that we should behold beings, as ignorant, degraded, and dead to every noble feeling, as our brethren. But well wishers as we are for the dissemination of knowledge, we never desire such to be the contemptible situation of any people. Were wishes of any avail, ours would be the enlightening of all nations—the spread of the true principles of liberty and equality.

Notwithstanding all the evils under which we labour, did our brethren but feel the importance of a good education being bestowed upon every member of society, how different would be the after-years of many of our children! Duly enlightened and qualified to perform the duties of a citizen (though denied the opportunity,) their whole life might reflect credit upon our community, and serve to extinguish many prejudices which arise from our ignorance, depravity and want of propriety. The world of a certainty is daily growing more enlightened, and

we must advance also, if we wish not to remain where our fathers did before us.

Having exposed, in our feeble manner, the great deficiency at present existing as it regards schools for the education of our children and youth; we invoke the aid of all the friends of humanity in all quarters of this extensive country, to come forward and use their endeavours, for the establishment of schools for our too long neglected people.—*Freedom's Journal*, edited by two persons of colour.

#### FOURTH OF JULY CELEBRATION.—1820.

##### *City of Washington.*

A respectable party, consisting of gentlemen, natives of seven different countries, dined together in the long room over the Public Baths, in C. street. Major Young, the appointed president, being prevented by business from attending, Mr. Gardiner supplied his place: and Mr. William Elliot, agreeable to appointment, filled the place as Vice President. Dinner being concluded, the Chairman and Mr. Elliot respectively addressed the company, after which

Mr. John Wright rose, with the City of Washington Gazette in his hand. He said, having prepared no notes or written memorandums, he should make use of such printed ones, as the newspaper in his hand would furnish, and I request, gentlemen, said Mr. W. that you will indulge me so far as to permit me to read, out of this paper, the first article of the Declaration of Independence, as it will serve as a proper basis, on which to ground what I have to offer, (here Mr. W. read, with much emphasis, the paragraph, beginning with "We hold these truths to be self-evident," &c. and then continued to the following purport:) The more I investigate the contents of this article, the more I

\* "We hold these truths to be self-evident, that all men are created equal; that they are endowed by their creator with certain unalienable rights; among which are life, liberty, and the pursuit of happiness; that to secure these governments are instituted, deriving their just power from the consent of the governed."

am led to estimate the value of the transaction of that auspicious event, the anniversary of which we are now celebrating. As this article is a fundamental one, and professedly contains the very principles, the fundamental principles on which human liberty rests; the very basis of the right to individual or national freedom and independence, I cannot contemplate it without entertaining the highest opinion, nor without feeling the greatest veneration, for the brave, the virtuous and ever to be admired champions in the cause of man, that framed, adopted, signed, and promulgated this invaluable instrument. It requires but a very superficial examination of this article, to be convinced that these great characters were not influenced by selfish motives; that they were not influenced by a narrow policy, that they were not proceeding, nor desirous of proceeding, on any but general principles; that while they claimed liberty and independence for themselves and the people whom they represented, they were not unmindful of the rights of others. They well understood, and they fully recognized the natural, and imperishable rights of all men. Hence we find them, in the hour of trial and of danger, when every thing was at stake, when they had every thing personally to fear, as the consequence of their sincerity and firmness; we find them taking their stand on the broad principles of justice and universal right, and in the face of their tyrants, in the face of their country, and of the world, declaring truths which cannot be doubted, but are self-evident, "THAT ALL MEN ARE CREATED EQUAL; that they are endowed by their Creator with certain UNALIENABLE RIGHTS; that among these are LIFE, LIBERTY, and the PURSUIT OF HAPPINESS."

Now as they laid down these as fundamental principles, as self-evident truths, which could not be controverted, it would be doing these worthies a great injury, it would be libelling their memory and taxing their sincerity, to suppose that they did not intend to be understood, as conveying their real sentiments. These great characters could not intend to make an exception, to the prejudice of our

coloured human brethren. They must have included them in the *ALL MEN*; and though at that time many were held in a state of bondage, and considered as the property of their fellow men, *they* could not possibly have used the language of the *DECLARATION*, and anticipated the continuance of slavery, in a country, where their *own independence and liberty* were claimed on *principles* recognizing the *equality of all men*, and the *unalienable* rights of all, to Life, Liberty and the pursuit of happiness.—Men, thus *acting* and thus declaring to the world the *principles* on which they acted, could not have anticipated the existence of slavery in this country forty-four years after that period, and that too, with an increase of *four times* their then number. As this country asserted her rights to freedom and independence, on the common rights of all men to the same blessings; and as the main design of the observance of this day, is to commemorate the Declaration signed by these great men, the great feature of which is the recognition and proclamation of this principle, I think, that wherever men, who understand the principles of liberty, meet to celebrate this anniversary; and especially, wherever this *Declaration is read*, the state of our coloured brethren ought not to be forgotten; but their rights asserted, and their injuries deprecated, till the blessings which this Declaration recognizes, as the *unalienable rights of ALL*, shall be enjoyed by *ALL*. What must be the feelings and reflections of the black or coloured population of this country on this day; we are celebrating an event which brought and ensured us liberty and independence: but while it recognized their rights to those blessings, it has tended rather to *clench* than *unloose* their chains. If governments derive their authority from the governed, what just authority can the government of this country have over the negroes who never delegated power to them or to any other? Or, if laws by which any people are to be regulated must have the assent, representatively, of those who are to submit to such regulations, who have a right to require such submission from our enslaved

brethren? The right of *SELF-GOVERNMENT*, as belonging to *ALL*, is asserted in this declaration, and yet, in this country, there are more than *NINE HUNDRED THOUSAND* individuals, held in a state of bondage, and totally deprived of this right. I state this number (which is indeed far *below* the truth) on the ground of their being eighteen of the members of Congress, who hold their seats there as *Representatives of the slave population*, at the rate of fifty thousand slaves for each member.\*

The number of slaves in this *free* country, are more than equal to half the amount of the Israelites when they left Egyptian slavery; and in twenty years, will more than equal their whole number. It must sink the character of this country in the estimation of other nations, to hold so great a body of men in slavery while we boast of this as *the land of liberty*. But even what are called the *free* people of colour, do not enjoy full liberty; in many instances they are oppressed, and treated with injustice. When we heard of the calamity by fire, with which the city of Savannah was visited, all our feelings were affected. In every part of the United States, the people commiserated their distresses and bountifully contributed to alleviate the same; but have the inhabitants of that city acted so towards the coloured population? on the contrary, they are oppressing the *free* men of colour, and treating them with the greatest injustice. We might have expected that they would have profited by the chastisement they received; that the rod of calamity would have taught them to be just and humane. This, however, is

\* The census for 1820, had not then been made. The slave population of 1810, was 1191364. The ratio of representation, when this speech was delivered, was one for thirty-five thousand free persons; or one representative for 58333 slaves. The slaves in the United States, in 1820, amounted to a million and a half, or nearly one sixth of the whole population. The number of the free coloured race at the same time, was 233530.

not the case; and to convince you of this, I need but read a paragraph from the Gazette which I hold in my hand.

"It appears that by a resolution of the City Council, published in the Savannah Republican of the 10th instant, that 'all the *free* male negroes shall be required to level a part of the line of fortifications in Farm-street, and to do such other work on the street as shall be pointed out by the street and lane committee,' and moreover, 'that in case of refusal or neglect, of any such *free* male negroes, to work as required by the resolution, the marshal be, and he is hereby required, to commit the same to jail, to be confined there one day for each day, he or they may be required to work.'"

In calling your attention, gentlemen, to this subject, it is not with a view to convince you of slavery being inconsistent with the principles on which American Freedom and Independence rest, nor to impress you with the injustice or criminality of the same. I am aware that I stand in the presence of men, as firmly attached to these principles as myself, and who as well understand them. I, therefore, have not spoken for the information of the present company; nor with a view to produce any impression in this room. My object is this: being aware that a report of our proceedings will go before the public, I think it proper publicly to protest, and in so doing, I but consider myself the organ of the sentiments of this respectable meeting, and, therefore, I may say, that on this occasion, WE publicly protest against holding our fellow men in slavery, or depriving them of any of those rights which the white population enjoy; that we consider it as a violation of the principles of justice, and inconsistent with the Declaration of Independence. That it is the greatest of all robberies, as it takes from them the most valuable of all treasures, life excepted: for, next to life nothing is so valuable as liberty, and he is the most dishonest who robs a fellow being of this treasure.

The article I read to you says, "that

when a *long* train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their *right*, it is their *duty*, to throw off such government, and to provide new guards for their future security." Apply this to the coloured people, on whom this is as completely accomplished as ever was contemplated by the old government with respect to this country. If then it be right, and the duty of an oppressed people, to do themselves justice, surely justice requires that the country should restore them to the enjoyment of those blessings of which, under the sanction of oppressive laws, they have been deprived. Nor can the government of this country act up to the spirit of the Declaration of Independence, nor redeem the pledge given by the brave veterans who signed that instrument, unless they adopt measures which shall lead finally to the complete emancipation of the whole population of the country.

#### THE NEGRO BOY'S TALE.

*By Mrs. Opie.*

'Haste, hoist the sails! fair blows the wind,  
Jamaica, sultry land, adieu!—  
Away, and loitering Anna find!  
I long dear England's shores to view.'

The sailors gladly haste on board,  
Soon is Trevannion's voice obey'd,  
And instant at her father's word,  
His menials seek the absent maid.

But where was loitering Anna found?  
Mute, list'ning to a Negro's prayer,  
Who knew that sorrow's plaintive sound  
Could always gain her ready ear;—

\* In the state of New York, by a law passed in 1817, slavery ceases on the 4th of July, 1827. It is much to be regretted that the state of Delaware has not followed or anticipated the example, or instituted a course similar to that adopted by Pennsylvania, in the year 1780.

Who knew, to sooth the slave's distress

Was gentle Anna's dearest joy.  
And thence, an earnest suit to press,  
To Anna flew the Negro boy.

'Missa,' poor Zambo cried, 'sweet land

Dey tell me dat you go to see,  
Vere, soon as on de shore he stand,  
De helpless Negro slave be free.

'Ah! dearest missa, you so kind,  
Do take me to dat blessed shore,  
Dat I mine own dear land may find,  
And dose who love me see once more.

'Oh! ven no slave, a boat I buy.  
For me a letel boat vould do,  
And over wave again I fly  
Mine own lov'd negro land to view.

'Oh, I should know it quick like tink,  
No land so fine as dat I see,  
And den perhaps upon de brink  
My moder might be look for me.—

'It is long time since last ve meet,  
Ven I vas take by bad vite man,  
And moder cry, and kiss his feet,  
And shrieking after Zambo ran.

'O missa! long, how long me feel  
Upon mine arms her lass embrace!  
Vile in de dark, dark ship I dwell,  
Long burn her tear upon my face.

'How glad me vas she did not see  
De heavy chain my body bear:  
Nor close, how close ve crowded be,—  
Nor feel how bad, how sick de air.

'Poor slaves!—but I had best forget,  
Dey say (but tease me is their joy)  
Me grown so big dat ven ve meet  
My moder vould not know her boy.

'Ah! sure 'tis false! But yet if no,  
Ven I again my moder see,  
Such joy I at her sight vould show  
Dat she vould think it must be me.

'Den, kindest missa, be my friend;  
Yet dat indeed you long become;  
But now one greatest favour lend,—  
O find me chance to see my home!

'And ven I'm in my moder's arms,  
And tell de vonders I have known,  
I'll say, Most best of all de charms  
Vas she who feels for negro's woe

And she shall learn for you dat prayer  
'Dey teach to me to make me good;  
Though men who sons from moders  
tear  
She'll think, teach goodness never  
could.

'Dey say me should to oders do  
Vat I vould have dem do to me;—  
But, if dey preach and practice too,  
A negro slave me should not be.

'Missa, dey say dat our black skin  
Be ugly, ugly to de sight;  
But surely if dey look vidin,  
Missa, de negro's heart be vite,

'Yon cocoa-nut no smooth as silk,  
But rough and ugly is de rind;  
Ope it, sweet meat and sweeter milk  
Vidin dat ugly coat ve find.

'Ah missa! smiling in your tear,  
I see you know what I'd impart;  
De cocoa husk de skin I veer,  
De milk vidin de Zambo's heart.

'Dat heart love you, and dat good  
land  
Vere every negro slave be free,—  
Oh! if dat England understand  
De negro wrongs how wrath she be!

'No doubt dat ship she never send  
Poor harmless negro slave to buy,  
Nor vould she e'er de wretch befriend  
Dat dare such cruel bargain try.

'O missa's God! dat country bless!  
(Here Anna's colour went and came;  
But saints might share the pure distress.  
For Anna blushed at other's shame.)

'But, missa, say; shall I vid you  
To dat sweet England now depart;  
Once more mine own good country  
view,  
And press my moder on my heart?'

Then on his knees poor Zambo fell,  
While Anna tried to speak in vain:  
The expecting boy she could not  
tell  
He'd ne'er his mother see again.

But, while she stood in mournful  
thought,  
Nearer and nearer voices came;  
The servants 'loitering Anna' sought  
The echoes rang with Anna's name.



As then, I came with sad  
 And

From Zambo's vessel was trembling  
 And

'Hark! ship hoard, at anchor, 'neath  
 And

I'm glad, and not yet my hand'

Anna recovered the stolen prize.

'I cannot spare thy son, she cries.

'Thou'lt thy father's blood wash  
 And

'But, should I thus forsake him, I prove  
 And

And then no more thy country see,  
 And

And thy father's blood wash  
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 And

That instant, in deeper shade hid,  
 Zambo, one and great effort made,  
 He drew from his bosom's side—  
 The pang of the burning tide.

The first time I saw Trevannion's face,  
 And all his weak remembrance flies.

'Behold, see! the vessel, he pursues  
 His aim, for mercy sake! he cries—

'Out with the boat, quick! throw a  
 Rope

'Wretched, how truly a poor aid!  
 While pain with dread, or dashed  
 Will hope,

Anna the awful scene surveyed.

The boat is out—the rope is cast—  
 And Zambo struggles with the wave;

'Ha! he the boat approaches fast!  
 O father, we his life shall save!

'But low my child, and lower yet  
 His head appears,—but sure he sees

The succour given—and seems to  
 Meet

The opposing waves with greater  
 Case—

'See, see! the boat, the rope he seizes;  
 I see him now his arm extend!—

My Anna, dry those precious tears;  
 My child shall be one negro's friend!

Ah! Fate was near, that hope to foil;  
 To reach the rope poor Zambo tries;

But, ere he grasps it, faint with toil,  
 The struggling victim sinks, and  
 Dies.

Anna, I mourn thy virtuous woe;  
 I mourn thy father's keen remorse;

But from my eyes no tear would  
 Flow

At sight of Zambo's silent corse:—

The orphan from his mother torn,  
 And pining for his native shore,—

Poor tortured slave—poor wretch for-  
 Lorn

Can I his early death deplore?—

I pity those who live, and groan:  
 Columbia countless Zambo sees;—

For swell'd with many a wretch's  
 Moan

Is Western India's sultry breeze.

Come, Justice, come! in glory drest,  
 O come! the woe-worn negro's

friend,—  
 The fiend-delighting trade arrest,

The negro's chains asunder rend!

THE  
**African Observer.**

**EIGHTH MONTH, 1827.**

**NEGRO SLAVERY.**

*(Continued from page 108.)*

The slave, both in the British West Indies and in the United States, is liable to be mortgaged or leased, at the will of the master.

Under the circumstances in which a large majority of the West Indian proprietors are placed, the liability to be mortgaged for the security of a master's debts, is an important article in the mass of evils incident to the condition of the slave. Lucrative as the business of sugar making has been supposed to be, and large as the profits originally were, it is a well established fact, that the estates of the planters are now, with few exceptions, deeply indebted to European capitalists. The large amount of capital\* required to a successful prosecution of this business, and the fluctuations of the market, added to physical misfortune and the misconduct of agents, conspire to render the culti-

vation of the cane, by the agency of extorted labour, a deep, and generally a losing, game of chance. "That his estate is unmortgaged," observes Stephens, "is, and always has been considered, in the West Indies, a rare distinction of the sugar planter; to owe more to his mortgagees than his estate is worth, is his ordinary case." "An English mortgage," says Edwards, "is a marketable security, which a West Indian mortgage is not. In England, if a mortgagee calls for his money, other persons are ready to advance it; but this seldom happens in respect to property in the West Indies." But it is well known, that securities, if considered sufficient, are always marketable. If, therefore, West Indian mortgages are not readily converted into cash, the difficulty must be owing to the character and supposed insufficiency of the security. In England, government loans are easily negotiated, because the interest is regularly paid, though the expectation that the principal will ever be refunded, has long been given up.

\* B. Edwards estimates the amount of capital requisite to establish a sugar plantation of a sufficient extent to be conducted to advantage, at thirty thousand pounds sterling.

When the possessor of slaves is a mortgagor in possession, whose debts are as great as the value of the property, the evil must operate in a two-fold manner on the poor dependent slave. The forbearance of the creditor must be purchased, if possible, by the regular remittance of the interest, and hence the labour of the slaves, and their supply of food, must be graduated according to the scale of the master's necessities; and, if redemption is hopeless, his interest will prompt him to look at immediate returns, rather than the eventual increase of the estate. Experience sufficiently attests the propensity of the human mind, to defer, as long as possible, the period of bankruptcy; even when the delay must inevitably render the failure more deep and disgraceful. A cloud of West Indian authorities might be cited to prove, that the labour of the slaves is frequently extorted, by the terror of the lash, and under the pressure of hunger, not for the benefit of the ostensible owner, but to procrastinate the foreclosure of the mortgage, a fate which neither stripes nor starvation can finally prevent. But even when the condition of the master is not thus desperate, a mortgage of the slaves for the security of his debts, presents an insuperable barrier between the slave and his highest earthly hope. If, under these circumstances, an active and industrious slave should find means to enlarge his hard earned peculium, to the value of his own bones and sinews, they are pledged above the power of redemption, to a creditor beyond the Atlantic. Though the master or overseer, to whom his faithfulness may be an ample support to his claim of freedom, should be willing or desirous to manu-

mit him, the creditor, equally unknowing and unknown to the slave, holds him as an integral part of a doubtful security, from which he cannot be readily separated. The mortgaged slave can, therefore, have little inducement to cultivate either his physical or intellectual powers, or to exercise any other care, than to slide down the stream of life, with as little attention as possible to the future. The literal observance of the precept, *take no thought for the morrow*, is the natural result of his situation; for to him, it is emphatically true, that sufficient to the day is the evil thereof. Although the situation of the planters in the slave holding states, is not exactly similar to that of their West Indian brethren, yet exemption from embarrassment and debt, is by no means, their general lot; and, therefore, the evils resulting from this incident of slavery, may be considered as a part of the system in this republic. Among us it probably is not the cause of much positive suffering on the part of the slaves, but inasmuch as it adds to the difficulty of emancipation, and, therefore, operates as a check to negro improvement, we may be permitted to desire that this part of the system may be revised and improved.

A slave cannot be a party before a judicial tribunal, in any action against his master, however great may be the injury received.\*

\* An action for the recovery of freedom, though an apparent exception to this rule, is not strictly one, the person held as a slave, and claiming his freedom, becomes by presumption of law, a freeman; and a suit is intended to try the question, whether the person held is, or is not legally a slave. This plain principle of common law

This appears as a necessary consequence of the relation. The civil law, or the law of the ancient Romans, is generally adopted, at least in its leading principles, in the slave-holding states, as the basis of their servile codes. According to that law, "Slaves are held *pro nullis, pro mortuis, pro quadrupedibus*, (as non-existing, as dead, as quadrupeds.) They have no head in the state, no title or register: they were not capable of being

is, however, trammelled in some of our republican states. In South Carolina, any negro, Indian, mulatto, or mestizo claiming his freedom, or any other person desirous of prosecuting such claim on behalf of any negro, &c. is authorised to apply to the justices of the Court of Common Pleas, by petition or motion. But in the subsequent parts of the act, we find the guardian, and not the negro, as plaintiff. And this plaintiff is permitted to bring an action against the possessor or holder of the negro, &c. in the nature of ravishment of ward. But it is specially provided, that the burden of proof shall lie on the plaintiff, unless the ward be an Indian in amity with the government; and in case a verdict shall be given in favour of the defendant, that is, unless the person held as a slave shall be proved free to the satisfaction of the jury, though no evidence of legal claim, except simple possession to the person held, shall be made or attempted, the court are authorised to inflict such *corporal* punishment, not extending to life or limb, on the ward of the plaintiff, as they in their discretion shall think fit. By a subsequent act, passed in 1802, the guardian of a slave, claiming his or her freedom, is made liable to double costs of suit, if his action shall be adjudged groundless; and said guardian is required to pay to the bona fide owner of such slave, all such damages as shall be assessed by a jury, and adjudged by any Court of Common Pleas. See Brevard's Digest, pp. 230, 260. The former law was copied by the Legislature of Georgia, Prince's Digest, p. 446.

injured; nor could they take by purchase or descent; they had no heirs, and therefore could make no will: every thing they acquired, except their *peculium*, was their master's: they could not plead, nor be pleaded for, but were excluded from all civil concerns whatever: they could not claim indulgence of absence *reipublice causa*, (in the service of the commonwealth:) they were not entitled to the rights and considerations of matrimony, nor were they proper objects of cognation or affinity, but of quasi cognation, only: they could be sold, transferred, or pawned as goods or personal estate; for goods they were, and such they were esteemed: they might be tortured for evidence,—punished at the discretion of their lord,—and even put to death by his authority." Taylor's Elements of Civil Law. The rigour of this law was considerably softened in the later periods of the empire; particularly in relation to the power of life and death. In the preceding pages, several laws have been noticed, the design of which evidently was the limitation of the master's authority; but none of them, nor, as far as I am informed, of any others in force, authorize the slave to appear as a party to a suit. The abuse of slaves by the masters, if punishable at all, must be at the suit of the commonwealth, and not, as in the case of free-men, of the party aggrieved.

Slaves cannot redeem themselves, without the consent of their owners, nor obtain, by any compulsory process, a change of masters, even though cruel treatment may have rendered such change essential to their personal safety.

In regard to the power of redemption, nothing appears in the codes of

the British West Indies or the United States from which such a power can be inferred, unless the judicial principle remains in force in the absence of "Treaty," as subject to modification by special enactment. The maxim appears to be, that a man must be the sole judge of the terms on which he will relinquish his claim to his own property, a maxim which may be admitted, where the right of property is absolute, and no subject of general utility demands its surrender. But it is well known, that, in most governments, private rights are considered as liable to be justly retrenched, when such retrenchment is necessary to the public good. When private property is required for public purposes, the compensation allowed to the owner, is awarded by some other tribunal than his own arbitrary choice. Will it be denied, that the transformation of slaves into freemen, is an object of public concern, fully as important as many of those which require the surrender of private rights? If the justice or policy of slaveholding can, in any case, be established, it appears obvious, the extinction of slavery, by a purchase, on the part of the slaves, of their own

redemption must be highly proper. The slave will call to industry and economy, to accumulate the price of his personal freedom, and the highest assurance of a propensity to provide for himself, and certainly the master cannot justly consider himself injured by such a transaction. Besides we ought to remember, that the slave is also a man, and as a man has, or ought to have rights. The humanity of the middle ages, though it maintained a system of servitude, yet gave to the laws such constructions as tended, in almost every instance, to the attainment of freedom. Few will now deny, that in this case, policy as well as humanity, was considered.

In some of the British sugar islands authority is given to the insular courts in very atrocious cases of mutilation of the slave, provided they shall deem it necessary for the future protection of such slave, to declare him or her free. Even the consolidated slave law of Jamaica, which was proclaimed by the historian as demonstrating to general conviction, that the legislature had secured to their labourers, as much freedom, and as great a latitude of enjoyment of the necessaries, conveniences, and comforts of life, as can be done consistent with their own preservation, contains this very cautious limitation. This power, it may be observed, is limited to the case where the owner, possessor, &c. has been convicted of the atrocious mutilation of the slave; but even in such case, no obligation to exercise the authority thus granted, is imposed on the courts. A later act of the same island, has varied the language, and darkened the meaning of this clause, but not changed, in any important degree, the na-

\* See page 66, for the Spanish law in respect to redemption.

† It is an admitted principle of international law, that in case of cession or conquest, the laws which were in force at the time of the transfer, continue to govern until repealed or modified by subsequent enactments. Thus, in the District of Columbia, the laws of Maryland, enacted previous to the cession, are in force on the north of the Potomac, and those of Virginia on the south. In cessions between independent governments the preservation of the existing usages and laws is frequently an article of the treaty.

ture of the provision. In the island of Grenada, power is given to the court, when cases of excessive corporal punishment have been proved, to direct the injured slave to be sold to a person of humane repute, accounting to the owner for the price. But this is expressly limited to "atrocious cases, when such offence shall appear to have been accompanied with any aggravating circumstances of *singular inhumanity or mayhem*." The legislature of Dominica, in their last meliorating act, 1818, adopted nearly the law of Jamaica, but the power of delivering is merely to sell the slave by auction to the best bidder. And even this power, is to be exercised only in atrocious cases, wherein it shall be judged necessary for the future protection of the slave.

In the state of Louisiana, a law is in existence, not to authorise the slave to procure a change of masters, but to empower the courts, in certain cases, to direct a sale. This may be done "when the master shall be *convicted* of cruel treatment of his slave, and the judge shall deem it *proper* to pronounce, besides the penalty established for such cases, that the slave shall be sold at public auction, in order to place him out of the reach of the power which his master has abused." In this, as well as in several of the insular laws, we find a portion of cruelty infused into the cup of mercy. The slave *may* be taken from a merciless owner, but sold at *auction*, of course to the highest bidder, and thus be liable to a separation from all that can render life desirable. A separation may thus be effected, which is even more galling than the master's lash. No provision appears in the codes of any other states for the re-

lease of slaves, or a change of owners, in consequence of abuse from their masters.\*

Laws to restrain and punish the cruel exertion of a master's power have been already noted, but if such laws are ever enforced, or the penalties prescribed intended to be imposed, it appears difficult to discover how the slaves can, in such cases, fail to become the objects of resentment. Though slaves cannot appear as parties to a suit, nor even as witnesses, yet if prosecutions are commenced, to redress or punish their wrongs, it must probably be in consequence of their complaints. To convict a master of cruelty to his slave; to inflict a punishment on that account, and then leave the complaining slave to expiate by future suffering, for the expense and vexation which he has caused, appears too much like a mockery of justice, to be admitted into the sober legislation of an enlightened people. Ignorance of the laws intended for their protection, and the hopelessness of legal redress, are probably sufficient preservatives from this species of oppression. In some of the West Indian codes, magistrates are required, when slaves complain to them of the cruelty of their masters or overseers, to examine the case, and if they find the complaint unfounded, or rather, if the poor ignorant unlettered slaves fail to support their charge to the satisfaction of the magistrate, they are to inflict on them such punishment as they may deem proper. The slave, who has ventured to com-

\* In the state of Delaware, a slave, if sold beyond the bounds of the state, is entitled to freedom, but no provision is made, even there, for his emancipation on other grounds.

plain to a magistrate, is thus placed in a singular but distressing dilemma. If he establishes his complaint, he becomes the victim of a master's vengeance, and if he fails to support it, he is to be punished by the magistrate. A curious article in a law of the island of Nevis, passed in 1818, manifests a disposition rather to protect the masters in the exercise of cruelty, than to permit their authority to be retrenched. By a law of a previous date, authority is given to any justice of the peace, upon any complaint or intelligence which he in his own discretion shall think probable, of the mutilation or other abuse of a slave; with the concurrence of another justice, to demand the production of the slave, in order to judge by actual inspection, whether the alleged abuse has been committed or not. Now, as a counterpoise to this humane and apparently harmless provision, the legislature of Nevis, after reciting that information and complaints may originate in malice, enact, that if upon investigation, a charge against the master or director of slaves shall appear groundless, or be of that nature, the magistrate shall give up the names of the complainants or informers, under a penalty of fifty pounds; in order that the injured party may seek redress by law. However natural the supposition, that complaints *may* originate in malice, it must be obvious, that this malignant passion can find but lean indulgence in the presentation of groundless complaints, when the means prescribed for proving the charge, must infallibly expose its falsehood. The exposure and inspection of an uninjured slave, could certainly affix no stigma upon the character of the master; and, therefore,

the law in question could originate only in a determination to discourage all interference between the master and slave. And it may be remembered, there are communities in which the laws of honour, falsely so called, are more imperative, and consign a larger number of the privileged class to an untimely grave, than the laws of the government.

As slaves can maintain no actions in their own behalf, they are liable to various injuries, both in person and property, from those who have no legal authority over them, for which they have no other redress than what may be obtained by suits instituted in the name of the master, or on behalf of the crown or the commonwealth.

The slave being regarded in the eye of the law, not as a person, but a thing; not as possessing inherent rights, but as property, and therefore, a subject of rights vested in another; his legal incapacity to sustain a suit, appears as the necessary consequence of his servile state. Still the conviction that the slave, though depressed below the proper standard of humanity, is, notwithstanding, a man, has introduced into the codes of British and American slaveholders some provisions which serve to recognize the humanity of the slave. The murder and mutilation of a slave are, as we have seen, indictable offences, and if legally proved, subject the offenders to punishment. But there are injuries, of a less atrocious character, to which they are exposed, and for which the laws have made little or no provision. The protection afforded to the slave, by means of the suit of the master, appears, both among ourselves and our neighbours the British West Indians, as the result of the protection afforded

to the *property* of the master, rather than the consequence of any provision in favour of the slave. The suit is predicated upon the principle of common law, which awards remuneration for the destruction or deterioration of property. Hence, in case of a suit instituted by a master on account of personal injury to a slave, the question to be examined is, not the amount of mental or physical pain endured by the slave, but the extent to which the property of the master has been impaired.

It has been considered as law in the West Indies, and, in a few extreme cases, received and acted upon as such, by the insular courts, that the master of a negro slave, may maintain an action against any man who, without his authority, beats and wounds his slave so severely *as to occasion a loss of his service*. A decision of the Supreme Court of Maryland has settled the law in that state on the same principle. "There must be a loss of service, or at least a diminution of the faculty of the slave for bodily labour, to warrant an action by the master."

A law of South Carolina, passed in 1740 and still in force, enacts, that "if any negro or other slave, who shall be employed in the lawful business of his master, owner, &c. shall be beaten, &c. by any person not having sufficient cause or lawful authority for so doing, and shall be *maimed* or disabled by such beating from performing his work, the person so *offending* shall forfeit and pay to the owner of such slave the sum of fifteen shillings (three dollars and three fourteenths) per diem for every day of his lost time, and also the charge of the cure of such slave." A law of nearly similar tenor exists in Louisiana, but in this,

as in the former, the object appears to have been the vindication of the *master's property*. It is true, the protection of the slave, to a very limited extent, may result as a collateral and secondary effect; but so far has the predominant principle been extended, that in North Carolina it has been held, that patrols are not liable to the master for inflicting punishment on his slaves, *unless their conduct clearly demonstrates malice against the master*. How many deeds of violence and wrong may be practised by the privileged class, which cannot be brought, by any legal construction, within the limits prescribed! It may, perhaps, be said, that the feelings of humanity, and a high sense of honour, are sufficient restraints on the white inhabitants, to prevent the infliction of injury or insult on the poor unprotected slaves. This is, no doubt, in many instances, the case. Certainly no man of honourable feelings, would deliberately add injury and insult to the unavoidable evils of slavery, or willingly encroach on the few comforts allotted to the slave.

If the feelings of generosity were never overborne by passion, nor the sympathies of our nature blunted by contempt or aversion, the poor depressed African slave would unquestionably share the protection which, among civilized nations, is always awarded to decrepitude and infirmity. The noble generosity which springs from principle, and not from nervous sensibility, extends to weakness and dependence, whether resulting from the laws of nature or the institutions of society. But experience demonstrates that the possession of power often corrupts the noblest minds, and the love of authority frequently pre-





which are remediless by the English law; even when inflicted on free persons. In cases wherein a personal injury to a slave could not be reasonably construed as an affront to the master, another mode of redress was provided. A slave might be smitten or otherwise injured by a person who supposed him to be a free man. Here the master might bring a suit, in the name of the slave, to recover satisfaction for the injury. The damages recovered were *probably* added to the peculium of the slave.

The English villein was able to carry on a suit in his own name, on account of injuries received, as well as of every other kind, against any person except his lord, and in some cases, even against him.

If the slave is despoiled of the little property he may have attained, one remedy is afforded by the all-comprehensive rights of the master. The property acquired by the slave, belonging, in strict legal construction, to the master, the latter, if so disposed, may reclaim, as his own, what has been unlawfully pillaged from the slave. Here, as before, the benefit of the master, is the ostensible and prominent object; the protection of the slave, an incidental and subordinate result. Yet the power to extend even this secondary protection to the acquisitions of the slave, has been, as we have already seen, in some of the American states, strangely abridged.\*

there was no remedy—no appeal.”—*Dr. Pinkard's notes on the W. Indies*, vol. ii. p. 399.

\* See the laws of N. and S. Carolina, &c. cited page 106. If a law declaring property forfeited for no other reason, than because it was possessed

If a slave, when stripped by violence or fraud of his little and hard earned peculium, is not able to invoke the assistance of his master, it is difficult to discover by what means he can obtain redress, at least, if the aggressor is one of the privileged complexion. An outlaw of the community, for which he is obliged to labour, incapable of supporting a legal demand, or giving evidence before a judicial tribunal; he may submit with christian forbearance, to such injuries as his fairer compatriots may choose to inflict, or seek redress in the gloomy resources of midnight revenge.

As the slaves in the United States are seldom possessed of much property to tempt the grasp of avarice, it is probable the lawless seizure of their acquisitions is not, to them, a practical evil of any great extent. In the British plantations, however, the case is different. The slaves there, are the principal traders in the smaller articles of daily consumption. The vegetables, poultry, &c. used by the white inhabitants, are generally pur-

by a slave, could be justified by precedent, perhaps our republican legislators might find their own justification an easy achievement. In the consolidated slave act of Jamaica, which, as already observed, was held up as conclusive evidence of the humanity of its authors, I find a clause which directs any master, owner, overseer, &c. of any plantation on the island, having on such plantation any horse, mare, or mule, the reputed property of any slave or slaves, knowing them to be such, to seize such horse, &c. and cause them to be publicly sold. And a master, owner, &c. who shall neglect or refuse to execute this unrighteous law, is subjected to a penalty of 30 pounds, which penalty shall be to the use of the person informing thereof.—*Ed. W. Ind.* vol. ii. p. 182.

chased of the slaves. A large part of the small coin of the islands is said to be in their possession;\* and there the frequent robbery of slaves, by the lower class of whites, has been noticed, but not redressed by the highest authorities of some of the islands.†

\*Franklin and Campbell's evidence before the H. of Commons. Pinkard's Notes on the W. Indies.

† The Assembly of St. Christophers, in a report of their meliorating laws, 1797, observe, "It was the practice of some of the lower class of white persons, to beat and ill treat the negroes, and frequently to take from them any articles which they carried to town for sale; upon the presumption, that as the slave could not produce sufficient testimony, it was impossible that he could obtain any remedy." Sir W. Young, governor of Tobago, in a report of 1811, states, "The slaves coming from distant plantations, to market, with poultry, pigs, &c. for sale, were often defrauded in weight or measure, or their goods forced from them at a less price than they had asked, or they were robbed of the whole by some miscreant, white people, or mulatto housekeeper, with impunity; slaves not being admitted to give evidence of the wrong they had received from a person that was free." These abuses were, indeed, prohibited, but the laws enacted for that purpose, were miserably defective. "Rights," says Blackstone, "are declared in vain, and in vain directed to be observed, if there be no methods of recovering and asserting those rights, when wrongfully withheld or invaded; and when we speak of the protection of law, we mean its remedial branches." The ground of the evil, the rejection of servile testimony, was left untouched, and a lame expedient adopted as a substitute. The alleged offender, upon complaint being made *by the owner of the slave*, was required to purge himself by oath. As if a person who had been guilty of felony, would hesitate about the crime of perjury. But even when the charge happened to be proved, the penalty was not to exceed 10*l* currency.

#### A JAMAICA SALE OF NEGROES.

The following description of a sale of newly imported negroes by what was technically called *The Scramble*, is given as a specimen of the brutality to which, no longer than 40 years ago, these poor sufferers were sometimes exposed. It is certain that such mode of sale would be adopted, only when the demand for slaves so far exceeded the supply, as to render the purchasers extremely eager for their prey. It is stated, by an avowed apologist of negro slavery, in a work published in 1786, that the poor ignorant Africans were sometimes so terrified at this scene of uproar and confusion, that the women and children have been known to expire from that cause alone. It is understood that they supposed the white savages, in whose power they were, to be cannibals, and that they were about to be slaughtered and eaten. The apologist, indeed, asserts that they were generally pre-informed of what was to happen; but with such knowledge of the African dialects as either officers or men, on board a slave ship, are likely to possess, it is probable the information would have very little effect to moderate their fears. It is to be observed, that the negroes who were to be sold, were confined in a house or yard, and that the purchasers endeavoured to seize, or enclose with a cord, as many as they could; and those, thus seized or enclosed, became their's.—The account was taken from a Jamaica gazette of March 1788.

The hour having arrived, the words are uttered with a loud voice, *The sale is opened*. The crowd in waiting immediately rush down upon the terrified Africans, who, at such a sight, are instantly struck with the most dreadful apprehensions. While many fall prostrate on their faces, others are seen closely embracing their companions, expecting immediate death. Their cries, which are truly lamentable, are communicated through the ship, and they are overwhelmed with amazement, sorrow, and despair. From the hurry and eagerness of those who are purchasers on such dismal occasions, a person not acquainted with the abominable etiquette of a

slave sale, could have no other idea than that the wretches were to be had gratis. The stated price of sixty-eight pounds and the duty for each of the trembling captives, would be thought a romance. Some of the purchasers, more active than others, jump over the barricade: the person who follows, very often happens to thrust one of his feet into the coat pocket of him who leads, and the loss of a skirt is the consequence; whilst a third has his hat knocked off and trampled under foot; and a fourth loses one of his shoes. These casualties generate no small degree of ill humour among the parties, and a boxing match ensues. But this is not all. Consequences of the most serious nature sometimes follow.—A life is lost,—perhaps, also, the life of a valuable member of the community,—not in the implacable vehemence of passion; but coolly and deliberately, after reason has resumed the throne. Fatalities of this kind are owing to one of the parties supposing himself insulted by the other; a challenge is therefore offered and accepted; and it has been known that two worthy citizens have been lost to society, the survivor being obliged to decamp, in order to avoid making that dreadful compensation, which is due to the violated laws of his country—*Dickson's Letters on Slavery.*

#### KIDNAPPING.

In the second number of this journal, a detailed account was given of an atrocious system of kidnapping, which had been for some time prosecuted on the shores of the Delaware and Chesapeake. In the narratives of several of those who had been rescued from their unauthorized captivity, the name of John Smith holds a conspicuous place. This man appears to have been employed to decoy the ignorant and unsuspecting children within the grasp of those pests of society, who feed and fatten on the miseries and blood of their fellow men. By the indefatigable exertions of the mayor of this city, aided by the personal exertions of S. P. Garigues, high constable, this man

has at length been stopped in his career of iniquity. It was ascertained, a few weeks ago, that he had sailed from Baltimore for Boston, to which place the needful information was forwarded, and the culprit arrested by the authorities there;—constable Garigues, who has travelled in pursuit of these depredators more than 2000 miles, set out for Boston, and brought the person safely to Philadelphia.

Several of those who have been kidnapped and reclaimed, were examined; and Sinclair, the boy who was carried to Tuscaloosa, among the rest; by all of whom, Smith, alias Purnell, was fully recognized.—The facts disclosed by the examination, corroborate the narratives already published, but add very little to the former gloomy catalogue of crimes. One fact, however, appears in the recent disclosures, which, if not new in the annals of violence and fraud, is probably a novel transaction in the streets of Philadelphia. A black sticking plaster appears to have been placed on the mouths of two of the victims, by which means Purnell was enabled to convey them to the place of destination without molestation. One of them, a boy about ten years of age, thus gagged, appears to have been carried off in open day, and the other in the dusk of the evening.

The prisoner might have been prosecuted by the laws of the United States,\* but those of the state were preferred, probably from motives of humanity.—By the laws of Pennsylvania, the crime of which the person was charged is punishable by a fine not less than 500 dollars, nor more than 2000, and imprisonment, at hard labour, for a term not less than seven years, nor more than twenty-one. Indictments might have been found, sufficient to subject him to an imprisonment, which would compose an important portion of the life of an individual. Two indictments, only, were tried, on both of which a verdict of guilty was found, and the utmost limit of the law applied to the cases. He is therefore sentenced to a pecuniary fine of four thousand dollars, and con-

\*See page 17 of this journal for the law on this subject.

finement in the penitentiary during a term of forty-two years.

It is to be hoped, that by the year 1869, the trade of stealing children will be rendered unprofitable, in consequence of the adoption of measures by the proper authorities of these republican states, as enlightened and humane as the decree of the Irish clergy, at Armagh, in the year 1171.

#### POSTHUMOUS ACQUITTAL.

In our second number, pp. 63, 64, an extract is given from the travels of Francis Hall, detailing the trial and execution of a black man on *suspicion* of having poisoned the food of a ship's company on the high seas. Within a few weeks, the public papers have teemed with the narratives of a desperado, who for a number of years, has been engaged in a traffic in human blood. He was a Frenchman, known by the name of Tardy, who appears to have been by *profession* a doctor, or assassin, or both united, as circumstances suggested. This monster, after attempting to poison the crew of an American brigantine, in which he had embarked as a passenger—slaughtered, with the aid of a few fellow passengers, the master and most of the company; and took possession of the vessel. Being obliged to come to land, on the coast of Virginia, for the purpose of procuring provisions, the mate, whose life had been spared to assist in navigating the vessel, escaped to the shore, and informed the authorities, of the piracy and murder which had been committed. Tardy, seeing his case desperate, anticipated the executioner, by cutting his own throat. From the fragments of the history of Tardy's life which remain, it is believed that he was on board the vessel, whose cook was charged with the crime, of which, to the last, he declared himself innocent. As the diffusion of poison into the food of his companions, appears to have been a part of the *regular practice* of Dr. Tardy, and the art of laying upon others the charge of his own crimes, no inconsiderable share of his *skill*, there is, at least, a strong probability that he was the author of the

crime for which the poor sable cook was condemned to the gibbet.

#### NONE OF PROCURING SLAVES IN AFRICA.

The king of Almammy had, in the year 1787, very much to his honour, enacted a law, that no slave should be conducted through his territories. At this time, several French vessels lay at anchor in the Senegal, waiting for slaves. The route of the black traders, in consequence of this edict of the king, was stopped, and the slaves carried to other parts. The French, unable on this account to complete their cargoes, remonstrated with the king. He was, however, very unpropitious to their representations; for he returned the presents which had been sent him by the Senegal company, of which I was myself a witness, declaring at the same time, that all the riches of that company should not divert him from his design. In this situation of affairs, the French were obliged to have recourse to their old friends, the Moors. These, who had before shown themselves so ready on such occasions, were no less ready and active in this. They set off in parties to surprise the unoffending negroes, and to carry among them all the calamities of war. Many unfortunate prisoners were sent, and for some time continued to be sent in. I applied to the director of the company, who conducted me to the slave prisoners. I saw there the unfortunate captives, chained two and two by the foot. The mangled bodies of several of them, whose wounds were still bleeding, exhibited a most shocking spectacle; and their situation may be more easily conceived than described. The director of the company, however, used his best endeavours to console them.

This is a specific instance, showing that *one war at least* was undertaken for the sole purpose of procuring slaves. I cannot, however, help observing, that if no such instance as this, had come within my knowledge, during my stay in those parts, I should yet have thought myself justifiable in supposing, that the wars among the negroes originated in the slave trade. For in all the observations I have been

able to make, (and I went to the coast of Africa, not with any commercial views, but for the sole purpose of inquiry and observation,) I have ever considered the negroes as a quiet, inoffensive people, happy in themselves and in one another; enjoying the comforts of life without the intervention of toil and trouble. If, therefore, I had found wars among a people of such dispositions, and so situated as to have no motive for them, I should certainly have set them down, as having been excited for some diabolical purpose; and for none so likely as for the prosecution of the slave trade.—*Wadstrom's Observations on the Slave Trade.*

A French merchant of Goree, landing at a village, observed a handsome, well made negro. He immediately made application to the chief of the village to seize him. On the proposal of the chief, the people unanimously agreed to grant his request; for it is a law in those parts, that if all the village consent, any visitor residing among them may be made a slave. To gain the consent of a whole village, on such an occasion, is not difficult. The Africans, in general, like other people in the same unimproved state, are governed by their passions; and the prince has only to distribute a sufficient quantity of spirituous liquors among them, to produce the effect he wishes for. Such was the case in the present instance: and the unfortunate negro, though he was their neighbour and visitor, was taken and sent into slavery. His wife, having heard of his capture, came down bathed in tears. She begged that she might go with him, and share his fate. But the trader who bought him, had probably no goods at the time, and her entreaties were ineffectual.—*Ibid.*

One of the Moorish kings had received from the director of the company of Senegal, the usual presents; in consequence of which he was bound to procure slaves. Having been rather dilatory in the performance of his engagements, he was applied to by the director, who represented to him the pressing wants of the company. The king, thus eagerly pressed, offered him a certain negro on account. This negro was none other than his

own minister, who had been his confidential friend and faithful adviser for many years. The director, shocked at the circumstance, endeavoured to point out to him the impropriety of his conduct; but his representations were ineffectual. The negro, in whose presence the offer was made, finding that his unworthy master was obstinately bent upon his design, ran up to him,—drew his dagger, and plunging it into his own heart, exclaimed, "Now, savage, I shall have the satisfaction of expiring before thou canst reap any advantage from thy base ingratitude to the best of servants.—*Ibid.*

#### A PRIZE ESSAY

*On the comparative Economy of Free and Slave Labour in Agriculture. By James Raymond, of Frederick, Maryland.*

The question before us, is a branch of the general question of slavery. But perhaps it does not embrace the most fascinating topics for discussion, which are presented to the mind by the whole of that great and momentous subject. It reaches none of those elevated objections to domestic slavery, which many of the wise and good think they discover in politics, religion, or natural law. We are now simply to compare free with slave labour, as a means of cultivating the soil. We are to answer the very natural inquiry of the farmer,\* which of these species of labour his own personal advantage calls upon him to employ. If we can convince him that free labour is the best, slavery, we hope, will in time go out of fashion, like an unhandy farming tool on the introduction of a new one upon an improved model.

This, I shall endeavour to do. I shall endeavour to show that free labour is more convenient and cheaper than the labour of slaves.

One of the most important circumstances of convenience, and therefore, of profit, which can be incident to farm labour, is, that it should be easily

\* The word farmer is used throughout this essay to signify one who in any way carries on the business of cultivating the soil.

varied in its quantity. Nothing is more variable than the quantity of labour which the farmer has occasion to employ upon his farm at different times, and under different circumstances. The changes of the seasons as they severally occur, each in their turn, call upon the farmer to make corresponding changes in the quantity of his labour. He cannot conveniently or profitably employ as much labour in winter as in summer. The fluctuations of commerce is another cause which often induces the farmer to change from a kind of farming which employs a given number of hands, to a kind which would employ a much greater or less number. For example, the state of the markets may be such, that the corn and wheat growers would find it profitable to turn their attention to the growing of wool, which employs very few labourers compared to the former kinds of farming. The soil itself, also requires frequent changes in the kind of husbandry. In modern days, the great secret of good farming is supposed to consist in a proper rotation of crops. But the most important rotation is from tilling to grazing, and *vice versa*. The good northern farmer, after tilling his lots a few years, lays them down to grass. This he calls letting his lands rest. But if he cultivated with slave labour, whilst his lands were resting, most of his labourers would also be resting at his expense.

The inconvenience of making frequent changes in the quantity of slave labour, and of suiting its amount to the requirements of the farmer, under every circumstance, must present itself to every one who reflects upon the subject. But what is more, the moral sense of society has erected an insuperable barrier to these changes. Public sentiment denies the character of respectability to men who are in the habit of buying and selling slaves. A farmer who should purchase a large number of slaves, to perform the labour of his farm in summer, and who should sell them again when winter approaches, and so on from year to year, would be denied a respectable standing in the community. But where labour is free, and therefore, the subject of contract between the employer

and the labourer, these changes are frequently taking place throughout the year. The farmer purchases labour precisely as he purchases any other commodity in the market, in such quantities and at such times as he wants it. He employs his labourers by the day, the month, or the year, as best suits his convenience or interest.

Nor does the farmer, by thus regulating the quantity of his labour to suit his own convenience, thereby discommode or impose any hardships upon the labourers. Where labour is performed by freemen exclusively, hiring labourers upon a farm are not necessarily confined to that occupation. They often unite some mechanic art, or some other employment, to that of labouring on a farm for hire during the summer months. Every species of labour being respectable, because it is all performed by freemen, when the labourer is not wanted upon the farm of his employer, he is neither precluded nor unqualified from turning his hand to something else. In one shape or another, he is constantly promoting the trifold interest of himself, his employers, and his country. He is at one time employed in the farmer's field, to supply his country with bread; at another, he "guides the tool mechanic," or, perhaps, he has embarked upon the "mountain wave," for the purpose of transporting the surplus production of his farm labour to some foreign port. In each of these employments, he is supporting himself, furthering the interest of property-holders, and promoting national wealth. This accounts not only for the thriving condition of the labourers and employers in free states, but also for the circumstance that free states support a much more numerous population than the slave states.

But, it will be asked, if labourers are thus at liberty to bestow their labour when and where they please, what security has the farmer, that they will consult his convenience and interest in serving him? Talk to a Maryland farmer of free labour, and perhaps he will tell you that free labourers are capricious; that they will often take advantage of their liberty and forsake

him, at the most hurrying season of his crops. Now, if there is any soundness in this objection to free labour, is it not remarkable that it should never be made, except by those farmers who work slaves? Farmers in free states feel no apprehension that their farms will lie fallow for want of labour to till them, or that their crops when raised, will return into the earth for want of labour to gather them. The farmer is no more at the mercy of labourers where they are free, than mechanics or manufacturers in Maryland or England, are at the mercy of the journeymen they employ. In this system of universal liberty, there is a controlling power, a regulating principle, which like a courteous master of ceremonies, accommodates the wants of the whole world much better than any number of individuals can be accommodated by attempting violently to help themselves. In other words, the conflicting interests and necessities of each are the accommodation and security of all.

Though this sentiment, in one form of expression or another, is the basis of all modern theories of human polity, I will not ask a concession of its application to the present subject. Indeed, such a concession would be yielding up the discussion. To say the conflicting interests and necessities of employer and labourer would most commodiously, regulate their intercourse, is to use another phraseology to express, that free labour is preferable to slave. This being the point in dispute, I will endeavour to settle it, by showing its consanguinity to a family of maxims that have not been questioned for several centuries.

Labour and the fruits of labour both possess the same commercial properties. Labour, like the fruits of labour, is property; an article of bargain and sale; a commodity in the market, and as such, possesses the same commercial nature and constitution with every other commodity that is bought and sold. All the world agree, as a general proposition, that the most effectual method of rendering every commodity which is the subject of private property, cheap, plentiful and of good quality, and of placing it within the reach of all who wish to make use of it, is to

secure to the producer of the commodity all the profits he can make by producing it; by leaving him to produce it when he pleases; to sell it to whom he pleases, where he pleases, and for the most that he can get. It is by these equitable laws, this free and unshackled intercourse, that the farmer is always able to supply himself with the coffee of the West Indies, the tea of the East Indies, the carpets of Turkey, the manufactures of Europe, in short, with every luxury and comfort which the world affords. The effect of a different system, with regard to the products of labour, may be easily illustrated. For example: suppose the rest of the world should say to the farmers—gentlemen, we are now too dependant on you for existence. Meat, and bread, the comforts and necessities of life, come to the rest of mankind exclusively through your hands. Perhaps you may combine to close those hands upon us, and starve all but yourselves. To prevent so melancholy an occurrence, and at all events to render ourselves independent of your caprices, we must alter the existing laws and take from you the right of disposing of your crops according to your own will and pleasure. What would be the farmers' reply? Would they not say, fellow citizens, take your own course. What produce we have raised, under the presumption that we were to dispose of it as we pleased, you can take and make the most of. But look out for short crops next year. We do not cultivate our lands if others are to enjoy the fruits. The world remained a wilderness until the producer was rendered secure in his rights to his produce. Depart from this policy, which has filled the world with abundance, and the earth will soon revert to its original state of sterility. Now, all I ask of the farmer is, that he should extend this reasoning on from the fruits of labour to labour itself. I ask him to believe, that the tree and the fruit are related together by one common nature. The same principle which renders it such good policy in the rest of mankind to protect the farmer in his right to his crops, renders it equally politic in the farmer to protect the labourer in the right to his la-



bour. Labour, like wheat, is a commodity. The farmer is the consumer of labour, and the labourer is the producer. And as the rest of the world, in order to render the farmer's wheat cheap, plentiful, and of a good quality, are obliged to protect him in raising or producing it; so the farmer can render labour cheap, plentiful, and of good quality only by securing to the labourer, the raiser, the producer of the commodity, all the profits he can make by its production.

Slavery is such an extravagant departure in man from his own acknowledged policy and principles, that the contrast becomes ludicrous. The right which a man has to his own labour is the only private property which exists by natural law. By the laws of nature, the external world belonged to the human family as tenants in common. But while this was the case, no man would bestow his own labour upon the external objects around him, because those objects might be taken from him by some of his co-tenants, and with them would go the labour he had bestowed. To remedy this evil, to secure to man the private property he had in his own labour, and thereby induce him to become industrious, the whole external world, which was before held in common by the human race, was divided into private property also. Thus, mankind have artificially divided the whole of the external world into private property for the purpose of securing to the labourer his rights to his own labour; and then they resort to slavery to counteract that purpose! A man's natural right to his own labour is first made the basis of all artificial property; and is then sacrificed and made the subject of that very artificial property of which it is the origin and support!

I state these counter currents in human conduct for the purpose of showing that they must lead to results as opposite as their courses. If reducing the external world to private property, by securing to the labourer the reward of his labour, has been the origin of commerce, agriculture, the arts and sciences, if it has been the means of filling the world with abundance and comfort; slavery, by depriving the la-

bourer of the reward of his labour, and thereby taking from him the motives to industry, must of necessity be attended by contrary effects. If securing to the producer of all other commodities, the profits of producing, renders them cheap, and plentiful, and of good quality, then it follows, that in order to render labour cheap, plentiful, and of good quality, the labourer, who is the producer of that commodity, must be rendered secure in the profits of producing it. It would be as wise for the rest of the world to attempt to provide against famine by taking from the farmer the disposal of his crops, as it is for the farmer to attempt to provide against a scarcity of labour by infringing the liberty of the labourer. Leave the conflicting interests and necessities of the producer and consumer of labour to regulate it in every particular, and the heavens may become as brass, and the clouds yield no rain, but the faithful hand of the free labourer will never desert the fields of the farmer. Where the labourer is free, the current price and fair treatment is as sure to command labour, as a fair price and fair dealing is to command corn, meat, houses, land, or any thing else. If you are particularly in want of labour, let it be known by offering the smallest fraction above the current price, and like other commodities under like circumstances, it will throng you. You may thus concentrate labour to any place, for any lawful purpose, private or public, peaceful or hostile; to cultivate the soil, dig canals, make roads, erect fortifications, or handle the musket. And how grateful ought man to be, at finding human nature so constituted, that in order to command human labour, and to use it either for public or private purposes, there is no necessity of subjecting our fellow creatures to involuntary bondage. What wisdom and benevolence is manifested by the Deity in so making the world, that every thing in it, withers beneath the influence of slavery. With reference to farming, slavery may justly be defined an unnatural and involuntary relation between the farmer, the slave, and the soil, which operates to the mutual destruction of all. If the slave is obliged to perform involuntary

labour for the master, the master is also compelled to find employment and support for the slave, whether he finds him profitable or otherwise. The land is also laid under an exhausting system of contribution, and though out of heart from too much tilling, it must nevertheless, be annually visited by the plough and hoe.

(*To be continued.*)

#### ON SLAVERY.

*Concluded from page 121.*

The present situation of the slave states is awful. Mr. Jefferson considers the emigrations from Europe as by no means desirable; and, viewing them as tending to form a differing people among us, he thinks the deferring the complete settling of our country, for one generation, a price which we ought willingly to pay for a population undivided in opinions, manners, and habits. If such were his sentiments when applied to a people of the same colour, what must they be when applied to the negroes? Many years ago he delineated the demoralizing effect of slavery, on the master, as well as on the slave; and intimated that we might entertain reasonable apprehensions of a providential retribution. He did not enter into a detail of the miseries entailed upon the whites, nor will my limits permit me to do so.

Yet let us call to mind the declaration of Mr. Randolph,—that the alarm of *fire* strikes terror into the bosoms of the mothers, who tremble at the thought of a renewal of the scenes of St. Domingo. Men have been heard to avow their dislike to matrimony, from the consideration, that, single, they feared nothing; but, that married, their life would be in perpetual anxiety. Still, none dare look the approaching danger in the face. Urge this topic, and 'tis waived with a pious ejaculation of "God knows what will be the end of it!" or with a volley of curses upon those who first brought negroes here;—but for that manly resolution which you might expect among freemen, you may look for it in vain. Even now I feel myself treading on dangerous ground.

VOL. I.—19

The man who moves this subject, is too often thought hostile to his brethren. I deprecate the idea; but from that regard to my own colour, and to my own children, which is natural to every man, I wish, if possible, to leave them in security. To those who think fit to vilify my motives, I reply,

But if you are afraid to hear the worst,  
Then let the worst, unheard, fall on your head.

It is not for such that I write. Is there a man who loves his country, and fears not to face impending danger? For him these remarks are designed;—and I trust that these my essays, imperfect as they are, may yet have the beneficial effect of calling forth men equal to the discussion now attempted—men who will address their contemporaries in language such as may compel them to rouse from their slumbers.

Awake—arise; or be for ever fallen!

The contingency requires no soft accents, no milk and water language; nor must the fear of the people's anger restrain the patriot from speaking in his bolder tone. When the taking of the Bastille was announced at Versailles, the minister declared, that it must not be made known to His Majesty. Here the courtier acted suitably to his trade; and his example may be of use to the demagogue. But neither of these characters apply to the patriot. He knows that his duty binds him, when danger threatens, to rouse the sovereign power, however shocking his information, and however dangerous to his own personal safety.

That what is morally wrong, cannot be politically right, is a truth which, if we cannot learn from reflection, will be taught us by experience. Of this we may be certain,—that the continuance and extension of this evil must ultimately produce deadly consequences. Small as at first may be the number of negroes in a state, they are sure to increase in a frightful proportion; of which the next census in this state will be an additional witness; and ten years hence, Missouri will offer equal evidence to the same effect.—(*See Appendix.*)

But what is the remedy? what can we do? In the first place, stop the gangrene:

Let it remain a poison where it is;  
Not poison any further.

This, thanks to Congress, has been done, in part only; for, cut off from the north, the slaveholders are resolved to extend their pestilential influence over the south—although such an extension must present not only a feeble, but a dangerous frontier, on the side which requires the strongest: and we are told that such, their just desires, must not be opposed. If the patient refuses amputation, and is too strong to be tied down, he must perish. Without a figure—if you do not stop the spread, and prevent the increase of negroes, they must become your masters; and, from the fierce opposition they will experience, the war must end in extermination. As it will not commence till the proportion of negroes fearfully exceeds that of the whites, their success is certain, even without those helps from Europe on which they may safely count, and which may serve as convoys to the black regiments by that time to be expected from the West Indies.

Let not the reader be surprised at this last circumstance. The expectation is but too likely to be verified in less than this century. Hispaniola can support an immense population; nor is it likely that its governments will be slow to avail themselves of those arms by which they were founded, especially when allured by the riches of Jamaica and Cuba: the population of which will eagerly join them, and thus afford an additional proof of the impolicy of settling a country with negroes. From five to ten thousand well armed blacks would easily revolutionize Jamaica; nor can the British fleets be incessantly on the watch, especially in a climate liable to hurricanes. The warmest friends of England anticipate the dominion of the blacks in the islands. Formerly they were jealous of our rising power and ambition; but now they seem to have awakened from their idle dream, to the awful reality. Even the Quarterly Review

advises to dispense Christianity and the arts to the slaves in their islands. With good reason. These may serve to humanize the slaves, and to prevent the fall of their masters from being so abrupt and so terrible as in Hispaniola. But that fall must take place. Providence seems, by a most righteous retribution, to have ordained that the negro race shall attain its brightest glories, in that very region, where it had been sunk to its most shameful, its most debasing degradation. Those who have witnessed a West Indian flagellation, will comprehend me.—Cuba and Porto Rico will easily follow Jamaica. If the negroes do not subjugate the rest, it will rather be on account of the insignificance of the prize, than from their inability to snatch it. These fair islands are susceptible of a population double that of Britain. And can we believe that these people, in possession of power, will disregard their brethren in America, at the distance of a single day's sail? Will they not hasten with fury to their assistance? Judge of the effect with which they will act roused by every motive of indignation and abhorrence, and braced by congenial heat, against your northern auxiliaries, depressed in mind by the consideration, that they are vindicating the tyrant's cause, and enfeebled in body by an unfavourable climate.

Stop, then, I repeat, in the first place, the further spread of these people. But here humanity is impressed into the service of slavery. "Would you," say its advocates, "condense it within its present limits, and thus rendering the slaves less valuable, ensure them worse treatment?" Worse treatment they generally cannot have. They have existence; their meal is carefully measured out to them; and if nature could exist and propagate with less, their allowance would be shortened. I speak here of the old states, where the master estimates the quantum of expenses absolutely necessary, as in the case of other domestic animals. Their comforts he regards not, and he lays his account with being re-imbursed, either by emigration, or by cash.

But let the slaves remain, as they

themselves desire, in their native seats; let Virginia be no longer a breeding ground to overspread and blacken all the other states; then will the masters find the maintenance of slaves so oppressive, that they will be glad to set free their worthless property, and to agree to that foreign emigration, to which they will never agree while negroes retain an exchangeable value. The authors of the preceding objection would do well to reserve for their children some of that humanity which so tenderly interests itself in behalf of the negro. Let us not be so deeply concerned to secure these people from the barbarity of their masters, as to spread them over the continent, although such a measure must be ultimately attended with the destruction of the whites.

Those who plead for the extension of slavery, urge, that by refusing to the slaveholder the right of carrying his property wherever he may choose, we do, in effect, shut him out from the free states; whereas, persons principled against slavery, may settle in slave states. *They may*—as Lot abode in Sodom; *their souls* incessantly shocked by barbarities perpetrated before their eyes, and which they can neither prevent nor punish; *their children* inevitably corrupted by the examples of the slaveholders, and exposed to idleness and profligacy, the constant attendants of slavery, the constant subjects of concern to every parent who possesses slaves! Sooner than settle the healthy state of Missouri on such terms, the emigrant will sit down contented in the sickly plains of Indiana, as numerous citizens have left Kentucky for Ohio! Yet though a man may be willing to embrace disease and sickness, when soothed by freedom, rather than health when debased by slavery, is that a reason for forcing the alternative upon him?

But suppose my advice for restricting these people to their native seats be followed, in what mode shall they exist there?—Let their present masters hold them as villeins, bound to the soil, and to go along with it. Division of land and slaves should go together; but no more should the families be severed. Attached to their respective spots, increase would be

impossible beyond the quantum of food produced.—The limits thus fixed to the increase of the blacks, the numerous white population, which in forty years will have taken up all the western lands, must regurgitate back upon the slave states, which may then ship off their slaves and replace them by white labourers. Nor can this period be further distant. There will not, in 1870, be a foot of land unlocated; and long before the expiration of this century, poor whites in abundance will be soliciting employment. This, by the way, if you part with your slaves: not otherwise. Retain them in your country, and the whites will rather perish than degrade their cast by labouring among them. At present, the conduct of the planter is natural. He is no worse than other men. Each endeavours to better himself, without too much regard to his neighbour. "All for ourselves, and nothing for the rest of the world," has in all ages been the vile maxim of the masters of mankind. So says Adam Smith. The wretches to whom he alludes, who bartered, for toys; their dominions, and the love of their vassals and dependants; acted upon the same principle with those against whom the prophets of old denounced their severest maledictions, for "adding house to house, and field to field, that they might be set alone in the midst of the earth." From the same motives, the Highland landlord, in Scotland, replaces a population of two hundred fellow creatures by a flock of sheep, a shepherd, and his dog. From the same motives, the English landholder buys up the adjacent estates; and from the same motives, the all grasping tenant rents from him the farms of twenty families; whence a great part of that wide wasting distress which now pervades Britain, where the great landholder, by his sub-tyrant, the great farmer, reigns amid fields replete with produce, but despoiled of men.

Late sibi summovet omne  
Vulgus, et in vacua regnat basiliscus arena.

He replaces numerous tenants, bound from their forefathers to him and his, by a few hirelings, skilful in their business, but totally destitute of that

principle which in the old farmers, took its deep root in filial attachment to their ancient lord. The same selfish spirit, recognised in all these characters, is now acting in the person of the slaveholder, certain of being attended with the same consequences,—that is, the stripping their native country of its best defenders. Yet however pernicious his conduct, it is forced upon the resident of a slave state. His negroes increase, and he is taxed to his utmost exertions to buy land for their employment: and as long as they remain slaves, so long must they be supported by their master; the whole of whose gains are expended in buying out his poor neighbours, that his increasing negroes may occupy their seats. Nothing but freedom, or something like it, can prevent the blacks from multiplying.—While slaves they propagate fearlessly; their abstinence from matrimony has no reward. If free, they would feel the checks on increase, as sensible as the whites; and a black old maid would not be a sight quite as extraordinary as a black swan.

But this remedy is not likely to be received in states where I have heard the atrocious sentiment, "that the negroes would never be well governed till the master possessed the power of life and death." There, even the freedom bestowed by the conscientious and humane is grudged to this unhappy people; and the legislature have forbidden emancipation, because it spoils the morals of the slaves. Then why not set all free? Let them become public, and not domestic slaves. Let them be among you as the Greeks are among the Turks. "But this would be dangerous."—Far from it. The Turks have ruled their political slaves these four centuries. Had these been domestic slaves, considered as valuable property, and had their masters' wealth been expended for the purpose of increasing them, they would long since have outgrown the governing power, and repossessed themselves of their ancient empire. Were we to adopt this plan, we might from time to time, avail ourselves of our shipping to remove the most spirited characters, who might otherwise endanger our safety. I am

but too sensible that this advice is offered in vain. The countrymen of Washington, those who revere the memory of the hero, are among those who have forbidden the imitation of that last will by which he left his negroes free.—These are the men who are incessantly deploring their misfortune in having such a property transmitted to them from their fathers; who curse those who brought it to the country; and who declare that they would gladly part with it, provided they had the means of sending it away, yet are deaf to the offers made from the West Indies to receive all they are willing to send. But here the slaveholder appeals to humanity. These poor creatures are attached to their country, and even to their masters.—Would you have us force them away? Is this a question difficult to resolve by those who are daily selling negroes to the slave dealers to drive handcuffed across the mountains? How strongly does the language of these people remind us of those who formerly declared, "that if they had lived in the age of their fathers, they would not have been partakers with them in the blood of the prophets." Nor do I positively assert that these would have bought Guinea negroes: but their persisting to hold their enslaved offspring, and their compelling others, of better inclinations, to act in like manner, shows them, but too plainly, the worthy descendants of their ancestors, and to them the dreadful sentence applies in its full force, "Fill ye up the measure of your iniquities." By extending them more widely, the time may be protracted; but at length the cup must run over.

An argument against general emancipation, borrowed also from humanity, is brought forward. If free, they must be governed by severe laws, and placed under the superintendence of a strict police. And is this an objection?—Brought up in degradation—reduced to brutality; for such severe laws are necessary, under whose wholesome discipline they may become men. Let the slaves choose for themselves. Inform them that they shall be free, provided they are willing to stipulate, for a life so blameless, that suspicion shall not attach thereto.

They will cheerfully accept the offer. Nor is there a man who, offered his choice between slavery and freedom, would hesitate to accept the latter, however burthensome the restrictions it might present.

We are called upon to indemnify the slaveholder, to whom we owe justice as well as to the slave. We acknowledge that if the slaves were to be immediately exported, that the master might then expect the full price for them: but he has no right to expect such price for them, if only set at liberty. In that case he would still have their services, and that on lower terms than at present. Commanding the laws, he could forbid the slave's holding land; he could fix a price upon his labour; he could bind him to the soil. In this case, the quondam slaveholder would lose nothing but a nominal property and a disgraceful name; in other respects, he would be a gainer. The negroes must have recourse to the landholders for employment: no other persons can give it. The best of them will be received; the balance rejected. The expense of maintaining the aged, the feeble, and the infants, will be taken off the shoulders of the masters; and this operating in the slave states like a release from the poor rates in England, would be an ample indemnification for giving up the name of great property, while he retained all its advantages. He will not then bequeath to his children a property which every owner finds to be the plague of his existence, the most expensive as well as the most dangerous stock upon his plantation.

Our negroes must either become villeins or freemen. In either case, severe laws must govern them. Yet those laws need not be written in blood. Banishment should be the capital punishment, except for murder. Suspicion against the negro, whether arising from fact, or personal qualities, should be the signal of instant deportation to a country where those qualities would render him respectable which here had made him dangerous. His friends might, if they chose, accompany him. Voluntary emigration might take off the enterprising and resolute. The states might pay their passage.

Increase might be checked, not by degrading the man, but by giving him comforts, and showing him their continuance in celibacy, their termination in matrimony. Has not this been the consequence of freedom hitherto? Does not the freedman, from the apprehensions of a family, frequently choose a partner from the slaves? Employment would be found more readily by the single, than by those encumbered with a family; and greater comforts would be enjoyed by the former than by the latter. The checks to matrimony would act with a force inconceivable by those who have never witnessed their power in Europe, where, strange to relate, a negro wench has been known to reject the honourable offer of a decent white man. She lived, she said, in plenty with her mistress; but if bound to a husband, she must struggle with the same distresses which she pitied in so many others. The institutions of the Shakers, and the Harmonites, and the customs of the Indian warriors, have stopped or suspended increase. Must we then think it absolutely impossible to effect, in a degree, by political institutions, that which has been effected by fanaticism? We know that marriage was forbidden to the Roman soldiers, till the time of Severus; and though not formally prohibited under Bonaparte, was carefully discountenanced. Among our freedmen, early marriages might be discouraged by a poll tax, or by the penalty of deportation inflicted on both parties. Humanity could not revolt at this. How many thousand pair in Europe would be willing to banish themselves from their native soil, on a like condition? Why should the state of the black in America, be preferable in this respect to that of the white in Europe; especially when the exile may be accompanied by all whom affection binds to him? The check to increase will have begun among them only half a century sooner than, in the course of nature, it must take place, alike in black and white. If you stay their increase barely during that time, the white population will enable you to replace them. You may thus dismiss them by whole counties at a time; and thus they may bear to their new abode all the affec-

tions endeared by habit, and which in fact constitute the native country. In such case, their removal would hardly give them pain. Indeed, this last is the only way in which they can be got rid of effectually. Export a moderate, or, if you will, a large number from all the states—the labour of the rest, whether bond or free, will rise in value immediately, and their numbers will increase accordingly. Export the contents of a whole county, and forbid the future entrance of a negro there; you will then have white men offering their services as labourers, when their feelings are no longer shocked by intercourse with negroes.

Should you prevent these consequences, by sending these people to the islands, you will not only remove danger, but conciliate gratitude. Nor need we be afraid of rendering the blacks too powerful. That is the concern of Britain and Spain, not of America. Nor, indeed, would the two former gain much by stopping the emigration of our negroes, with which the rise of the Haytian empire might be accelerated, and without which it might be retarded from 30 to 50 years, a trifle in the life time of a nation. But their settlement in Hispaniola would ensure us the affections of them and their posterity; especially if we sent them in numbers, and societies, sufficient to secure their language and manners. The Jamaica negro who meets an Englishman in the Spanish colonies, claims country with him. Some of us have proposed to give these people a seat upon our continent. Of such a seat the West Indies has all the advantages; with this addition, that the sea will roll between us.

On the whole—prevent their farther increase. The means are pointed out. You may then remove them at your leisure. Nay, their present supposed amount, say 1,700,000, may remain among us with little danger. Provided you keep them at, or below, that number, there will exist no such imperious necessity of banishment, as if you permit them to quadruple their amount.

There is, however, no occasion to point out political regulations for checking the increase, or hastening

the deportation, till we have adopted the leading, the indispensable measure—the liberation, or villedage of the negroes; and of this I have no hope. I abandon the subject to abler hands; satisfied with having discharged a duty, which I would have gladly dispensed with, could I have done so conformably to the dictates of conscience.

#### APPENDIX:

Showing the rate of increase, between 1800 and 1820, of whites and blacks in six states. This statement is derived from a work published in Shelby county, Kentucky.\*

##### *Virginia.*

1800	518,674	{ Whites: prop. inc. 16
1820	603,074	
1800	346,954	{ Blacks: proportional
1820	425,153	

##### *North Carolina.*

1800	337,866	{ Whites: prop. inc. 24
1820	419,200	
1800	133,196	{ Blacks: proportional
1820	205,017	

##### *South Carolina.*

1800	196,255	{ Whites: proportion-
1820	237,440	
1800	146,151	{ Blacks: proportional
1820	258,475	

##### *Georgia.*

1800	101,068	{ Whites: proportion-
1820	189,566	
1800	59,699	{ Blacks: proportional
1820	149,656	

##### *Tennessee.*

1800	91,709	{ Whites: proportion-
1820	339,727	
1800	13,584	{ Blacks: proportional
1820	80,107	

##### *Kentucky.*

1800	179,875	{ Whites: proportion-
1820	434,644	
1800	40,343	{ Blacks: proportional
1820	126,732	

\* These numbers include, under the denomination of *blacks*, the slaves only, and not the free coloured population. A few errors which had crept into the Kentucky paper, are corrected in this.

## STATISTICS OF SLAVERY.

## No. III.

*Continued from page 117.*

In the second number of the Quarterly Review, recently published in this city, I find an able review of Dr. Cooper's lectures on political economy, published at Columbia in 1826. The reviewer, though apparently opposed to the practice of slave holding, has ventured some remarks, which seem to soften or deny a part of the evils resulting from that impolitic system. He observes, "In his chapter on labour and wages, Dr. Cooper compares 'the cost of rearing a slave, with his ordinary earnings in making cotton; for the purpose of showing that slave labour is dearer than that of a freeman. That this is the case, when both descriptions earn a bare subsistence, we have no doubt.\* But in this country, where the white labourer is, in general, so much more expensively fed and clothed than the slave, we rather question the fact. It certainly seems the interest of the slave to consume as much, and to work as little, as he can; yet, with all his temptations to do so, he in fact performs nearly as much work, and consumes far less than the free labourer." The reviewer must here

\* This is easily conceived. If the slave earns a bare subsistence, since he must have a subsistence at all events, it does not appear that the owner can derive any emolument from his labour. But the free man may *earn*, or more properly, *receive* a bare subsistence, and yet leave to his employer a considerable profit; and we may rest assured, the free labourer will not find employment in the service of others, if his services do not remunerate his employer with a profit for the wages allowed.

permit me to adopt his own expression; I rather question the fact. Judging a priori, from the nature of the case, we can hardly suppose that the slave, with *every temptation* to idleness, and *one motive* only to labour, will perform nearly as much as the man who has *every inducement* to exertion, and but *one temptation* to idleness. Dr. Cooper estimates the labour of a slave at two thirds of what a white labourer, at usual wages, would perform. This may probably be a tolerable approximation, if we make the comparison between slave labour, and the labour of a free man in a slave-holding state. Where labour is generally performed by slaves, *they* give the tone, and furnish the standard, both as to quantity and kind. The free man copies from the slave, not the slave from the free man. It has been said, as a reproach to our people of the north, that such of them as emigrate to the south, and become owners of slaves, are generally more severe in their exactions, than those who have always lived in the slave-holding districts. This circumstance is explained by, and at the same time illustrates the proposition above stated. The man whose notions of industry have been drawn from the exertions of free men in a non-slave-holding district, soon loses his patience, when condemned to wait the tardy, reluctant movements of slaves; while the native of a slave state has learned to measure by those movements, the exertions which ought to be made. Edwards in his description of a West Indian sugar plantation, after leading his first gang through the languid morning, and assigned them the meridional period for refreshment and repose, subjoins, "At two o'clock



they are again summoned to the field, when, having been refreshed both by rest and food, they now manifest some signs of vigour and animated application; although I can, with great truth, assert, that our English labourer, in his own climate, would perform at least three times the work of any one negro in the same period."\* Dr. Pinkney estimates the work, performed with ease, by two Europeans, as equivalent to what twelve slaves are accustomed to effect.†

The experience of Joshua Steele, formerly of Barbadoes, furnishes a striking exemplification of the difference between slave labour and free. He tried the effect of substituting the hope of reward for the fear of punishment, and the result exceeded his expectations. He obtained from his slaves in a given time, by the payment of a small premium, three times as much work, as without it. In this case, however, the premium was to be paid, only on condition that a certain task was performed; and therefore the effect of servile habits was probably completely counteracted by the stimulus of an expected premium. As far as my own observations have extended, I should not hesitate to pronounce the quantity of work performed by a slave in a slave-holding district, compared with that of a free man in a free state, far below the estimate of Dr. Cooper. It may be observed that in non-slave-holding districts, a large part of the labour is performed by those immediately interested in the result, and that even when labour is performed by hirelings, the employer generally takes

his part, and thus by his presence and exhortative diffuses and the common exertions, an energy which the mere hiring out seldom excites. In slave-holding districts, the distinction between master and slave, is generally so strongly marked to admit of that healthy stimulus. That the slave is generally worse fed and more scantily clothed than the free man, is readily admitted; but that he consumes the less, is not quite so clear. If suitably clothed and plentifully fed, as many of them unquestionably are, he will doubtless consume more than the free man who depends for his support on the labour of his hands. The superior care in the preservation both of food and clothing, which the free man's sense of interest excites, is, in all probability, more than a counterpoise to the expense of a somewhat finer wardrobe, and more delicate fare. How often do we see persons spend in the midst of squalid poverty, a sum more than equal to their comfortable support! If the provisions of the slave are too sparingly furnished, his conscience will be readily moulded to the circumstances of his life. Few slaves possess a morality sufficiently refined, to deny to the cravings of hunger, a clandestine supply from the stores of a master. And of all modes by which the poor are maintained, surely the most expensive is that of permitting or compelling them to live by theft. The articles purchased are selected with as little attention to the interest as to the choice of the owner, and the necessity of concealment must often occasion the destruction of what cannot be immediately used. Besides, the very means of securing their property from the

\* Hist. W. Indies, vol. ii. p. 123.

† Notes on W. Indies, vol. i. p. 257.

\* Dickson's Mitigation of Slavery.

pillage of slaves, constitute an article of expense in the system of slavery, which does not enter into the establishment of a non-slave-holding community.

The reviewer proceeds: "the doctor may rest assured, that whenever the day arrives, as come it must, when the cost of rearing a slave will exceed the value of his labour, the slave owner will not be slow to discover it, and will be as eager for emancipation then, as he now is opposed to it. But this day is distant in South Carolina, and it will not arrive until the wages of free labour are nearly reduced to a bare subsistence." If, as the reviewer had just remarked, improvidence, extravagance, and bad management, are the natural consequences of domestic slavery, it appears *possible* that a part of this improvidence and bad management, may consist of negligence with regard to his accounts, and ignorance of the value of the labour performed by the slaves, as well as of the actual expense of rearing them. When the cost of rearing a slave exceeds the value of his labour, or the price for which he can be sold, it must be ultimately perceived, but the master's estate may have been long mouldering away before the cause is fully understood. The labour of slaves certainly is, and long has been, unprofitable in Maryland and Virginia, but the evidence of exhausted farms, and deceduous mansions has not yet excited the general eagerness for emancipation which the reviewer anticipates in South Carolina. Slave labour may be deemed more profitable than it really is, when employed upon a rich or virgin soil, which it is gradually reducing to sterility. And while

such soils remain, to be cultivated by the labour of slaves, an immediate profit may continue to be drawn from this species of cultivation, at the expense of a succeeding generation.

But the part which has been chiefly instrumental in eliciting these remarks, is the following:

"There is no way in which misrepresentation has been greater or more frequent, than in stating the comparative increase of the white and black population in the slave-holding states. And these statements have been the more imposing, as they profess to be founded on the direct authority of the census, and on arithmetical certainty. Thus it has been gravely asserted as the result of actual calculation, that the gross population, black and white, increases much slower in the slave than in the free states; that the white population increases about twice as fast in the free states, or those in which there are few or no slaves, as in the slave states; and that the slaves increase much faster than the white population in the slave-holding states.\* But it is well known, that in making these comparisons, there are several circumstances to be taken into account; and that as we have no accurate

\* These propositions, the reviewer tells us, are *erroneously* deduced from the three first censuses, in Raymond's Political Economy. That they are stated in the work referred to, and in the pamphlet on the Missouri question by the same writer, is certain; whether *erroneously* or not, is another question. They are given very much in detail in the pamphlet. I have examined nearly all his calculations, and find them, with a few exceptions, very nearly correct. It is still a question, whether these particular facts authorize his general conclusions.

means of ascertaining these, our reasonings on the subject can lead us only to probabilities on the subject, rather than to positive certainty. The most important of these are,

"1. The migrations from Europe, which are chiefly to the states without slaves.

"2. The emigrants from the slave-holding states to the states of Ohio, Indiana, and Illinois. If the legislation of these states may be considered to afford just criteria of the origin of their constituents, one-third of their population has been drawn from the slave-holding states.

"3. Until the year 1808, slaves were imported from Africa into South Carolina and Georgia.

"4. The acquisition of Louisiana, by the greater proportion of its slaves, compared with its white population, has had the effect of increasing the relative number of the former."

The reviewer then offers the supposition, that the emigrants from Europe to the free states, added to what have removed from the slave states to Ohio, Indiana, and Illinois, may be nearly equal to the whole population of those states, and thence concludes, that in a comparative view of the increase in the free and slave-holding states, these three states and the newly added territory composing Louisi-

ana and Missouri, should be omitted. He then proceeds: "Comparing, therefore, the ten states having few or no slaves, to wit, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania and Delaware, with the nine slave-holding states of Maryland, Virginia, North Carolina, South Carolina, Georgia, Kentucky, Tennessee, Alabama and Mississippi, the total increase of population in the first from 1790 to 1820, is 118 per cent. while in the slave-holding states it is 123 per cent. The white population, during the same period, increased in the free states 121 per cent. and in the slave states 122 per cent. The increase of slaves in the last mentioned states, was, in the same period, but 110 per cent.; but of the whole black population, bond and free, 126 per cent. All of which facts are directly at variance with the proposition before stated.

"The greater increase of the whole black population than that of the whites, in the slave-holding states, is to be attributed to the slaves imported previous to the year 1808, and to the acquisition of Louisiana, as is shown in the following table, by comparing the rates of increase of the different classes during three successive periods of ten years each.

	Increase from 1790 to 1800.	From 1800 to 1810.	From 1810 to 1820.
Whites,	36 per cent.	35 per cent.	33 per cent.
Blacks, bond and free,	30 do.	40 do.	28 do.
Slaves,	25 do.	35 do.	29 do.
Free blacks,	85 do.	69 do.	25 do.

"The estimates in the preceding tables are made on the whole population of the United States, but those made on the population of the slave-holding states afford the same consolatory evidence, that although the black population had gained on the

white, in the thirty years from 1790 to 1820, by reason of the two circumstances that have been mentioned, yet in the ten years from 1810 to 1820, when the black population was left to its natural increase, the whites are found to have the greatest increase.

Thus the white population in all the slave-holding states, has, during that period, increased 33 per cent., while the whole black population has increased not quite 30 per cent."

Here it is assumed that the emigrants from Europe swell the amount of the white population in the free states; that very few emigrants, either from Europe or the free states, settle in the slave-holding states; and, therefore, the enumerations at the different periods, do not exhibit the true relative increase. Supposing, for the present, the facts to be as assumed, it may be observed, that the population of an old settled country is but slightly affected by emigration, unless it is of such a character or extent as sensibly to change the state of the arts. An emigrant who removes, leaves a place and an employment to be filled by a successor; the profits of employment furnish the means of support, and increase the facilities for raising a family. Population follows the means of subsistence; hence removals accelerate the march of population. On the other hand, the influx of emigrants, by filling up the places of employment, and increasing the difficulty of rearing a family, retards the growth of the native class. The situation of the greater part of the ten states first brought into view, is, and long has been such, that, probably, very little addition has been made to their population by the emigrants from Europe, notwithstanding their numbers. But the truth is, that great numbers have emigrated from the free to the slave-holding states. Some considerable districts are nearly peopled by them.\*

\* In Virginia, west of the Alleghany mountain, the slaves are to the

It is true, that great numbers have removed from the slave states, to the new ones north of the Ohio, but it is also true, that a full tide of emigration has been flowing into them from the middle and eastern states, ever since they were opened for settlement; and that a species of population, which always moves in the van of civilized communities, like the foam on the tide, has rolled through them to the country further west.

In the comparison above exhibited of the increase in the free and slave states, it is remarkable that we have mostly old settled states on the one side, and several newly settled on the other; hence they are compared under very discordant circumstances. The accession to one member of the equation is chiefly of native growth, but to the other, a large part is owing to emigration. The reviewer has included Delaware among the free states; why this was done, unless in compliance with the example of Raymond, is not obvious. In 1790, the slaves in Delaware composed between a sixth and a seventh part of the whole population, which differed but little from the proportion in Kentucky at the same period, the slaves there being between a fifth and a sixth of the whole.

The reviewer appears not to have been aware that the importation of slaves from Africa, into South Carolina and Georgia, was prohibited prior to the year 1808.

whites nearly as one to ten; and to the east of that mountain, nearly as seven to eight. I know that a part of this district, and from this circumstance I conclude, a large part, has been settled with emigrants from the north.

There is too much reason to believe that slaves were imported into several of the states, both before 1808 and since: but they must, during most of the time included within our calculations, have been imported clandestinely if imported at all. Though we may justly shudder at the thought of our national guilt, in so long permitting, either by legal toleration, or clandestine connivance, this abominable commerce to pollute our shores, it is not probable that the importations from Africa, since 1790, have swelled, in any remarkable degree, the general mass of the black population.

The reviewer has attributed the increase of the free black population to those importations; but how they could produce that effect he has not thought necessary to explain. If those importations consisted wholly of slaves, which was unquestionably the fact, except, perhaps, in a few instances, when the laws hereafter noticed, deprived the importers of their prey; it is obvious the only increase which they could possibly make would be to the number of slaves.

Though the constitutional restriction, respecting the importation or migration of slaves, was introduced in compliance with the wishes of the delegates from S. Carolina and Georgia, yet within a few years from the date of the constitution, the authorities of those states prohibited the very traffic, or at least the African part of it, which their delegates were not willing to entrust to the discretion of congress.

In South Carolina, it appears that a law was enacted in or before the year 1794, prohibiting, for a specified time, the introduction of slaves from Afri-

ca; which law expired in 1795, by its own limitation.\* In 1800 it was again enacted that slaves should not, after the passage of the act, be imported into the state, either by land or water, except in certain cases, of which the African trade certainly composed no part. In 1801, a penalty was affixed to the act of receiving or holding any slave introduced into the state, in contravention of the law of the former year.† In 1802, slaves imported contrary to law, were declared free. In 1803, the prohibitory acts of the former years were rendered perpetual.‡

In the constitution of Georgia it is declared, "There shall be no future importation of slaves into this state, from Africa, or any foreign place after the first of October next."§ This

\* Not having a copy of that law before me, I cannot give the date of its enactment, nor its provisions, with certainty. It is referred to as then existing in the report of the proceedings of delegates from the abolition societies, in 1794.

† It is somewhat curious to observe, that these legislators, at the moment they were prohibiting the slave trade, do not appear to have dreamed, that the rights of the victims might possibly have been violated by the traffic; for they ordered that all negroes, mulattoes, and mestizoes, brought into the state, contrary to the law, should be sold by the sheriff of the district, and the moneys thence arising, after the liberal payment of the persons concerned in the prosecution, applied to the promotion of seminaries of learning in the district where the conviction should occur. A very judicious approximation, truly, in a state where the crime of teaching a slave to write, was then, and still is visited with a penalty of 100 pounds, (four hundred and twenty-eight dollars and four sevenths.)

‡ Brevard's Digest of the Laws of S. Carolina, vol. ii.—title slaves.

§ Article iv. Sec. 11.

constitution is dated 30th of May, 1798.

I have been the more particular and minute on this subject, not only from a desire to do justice to the people of those states, but because the error into which the reviewer has been betrayed, is common to a large portion of the American public. We have generally believed that the African slave trade was legally tolerated in South Carolina and Georgia, till arrested by the act of congress of 1807.\*

We may now conclude that the importations from Africa ought not to be considered as an item of much importance in our estimates of the slave population.

The acquisition of Louisiana has unquestionably added to our slave population, but to what extent I have no means of determining. The cession was made in 1803. In 1804, a law was enacted prohibiting the introduction of slaves *from abroad* into the territory of Orleans, now the state of Louisiana; and placing certain limitations, upon their introduction from other parts of the United States. In 1810, the whole number of slaves in the ceded territory, was 37,671, and this number may be fairly presumed to have increased after 1803: particularly, as in 1820 we find the slave population in the same districts amount to 80,903. If we suppose the increase of slaves to have proceeded in the same ratio from 1804 to 1810, and from 1810 to 1820, we shall have the number of slaves in 1804, fifteen months after the cession, within the ceded territory 23,781.† These

\* See p. 12, for this act.

† Some of my readers may perhaps be willing to see the mode of de-

slaves being supposed to double, by natural increase alone, in fifteen years, would amount in 1810 to 31,379, and in 1820 to 49,812. The excess above these numbers may, with reasonable propriety, be attributed to emigrations.

Let us now see the result of a second calculation. The whole population of the United States in 1790 was 3,929,336, and in 1820 it was 9,637,999, indicating an increase in 30 years of 145 per cent, without including any part of the population of Louisiana, Missouri, or Arkansas. Allowing the nine states north of Maryland, and those north of the Ohio, to be included among the free states, and as having given to the other states as many inhabitants as they received from them, and omitting Delaware altogether as of ambiguous character, we find the increase of the white population in 30 years in the free states 164½ per cent. But the increase of the whites in the slave states, beginning with Maryland, and making allowance for the number acquired with Louisiana, for the same period, was 122½ per cent. While the slave population in these states, with a similar deduction, had increased during the same period, 127 per cent.

If we apply a similar calculation to the states of North and South Caroli-

duction. Let  $x$ ,  $a$ , and  $b$ , denote the numbers in 1804, 1810, and 1820, respectively, and  $y$  a fourth proportional to the number of slaves on two consecutive years and a unit;  $X$ ,  $A$ ,  $B$ , and  $Y$  their logarithms; then  $xy^b = a$ ;  $ay^{10} = b$ , or  $x + 6Y = A$ ,  $A + 10Y = B$ ; from the last  $Y = \frac{B-A}{10}$ , and from the first  $X = A - 6Y$ .

na, Georgia, Alabama, and Mississippi, Kentucky and Tennessee, we find the increase of the white population, from 1790 to 1830, at the rate of 222 per cent, but the increase of the slave population, for the same period, 281 per cent.

In the second number of this journal, it is shown that in nearly all the states south of Virginia, there has been a constant encroachment of the slave population on the white, with but two exceptions, through every period included in the enumeration.

If these results do not support the conclusions of Raymond to their full extent, they at least indicate the correctness of his general reasonings, and show that a slave population increases faster than the white population in a slave-holding state.

#### COLOURED POPULATION.

In the fourth number of this journal, an article was inserted from the Freeman's Journal, on the subject of African schools, in which the coloured population of several towns in the United States is professedly given. The article was inserted without comment, the editor of this journal not supposing himself responsible for its correctness. But on a review, finding the numbers inconsistent with the returns of the Marshals of the United States as inserted in the census of 1830, he has judged it expedient to give the numbers as they stand in the official publication for that year.

Portland, Maine, 224. Boston, 1685. Salem, Mass. 261. New Haven, Conn. 624. Providence, R. I. 979. Philadelphia, city and county, 11,981. New York, city and county, 10,886.

#### BARBARIC OCCURRENCE.

Tusculum, Alb. June 30.

Some time during the last week, one of those outrageous transactions—and we really think, disgraceful to the character of civilized man—took place near the northeast boundary line of Perry, adjoining Bibb and Autauga counties. The circumstances, we are informed, by a gentleman from that county, are: that a Mr. McNeily having lost some clothing, or some other property of no great value, the slave of a neighbouring planter was charged with the theft. McNeily in company with his brother, found the negro driving his master's wagon; they seized him, and either did, or were about to chastise him, when the negro stabbed Mr. McNeily, so that he died in an hour afterwards—the negro was taken before a justice of the peace, who, after serious deliberation, waived his authority—perhaps, through fear, as the crowd of persons from the above counties had collected to the number of seventy or eighty near Mr. People's (the justice) house. He acted as president of the mob, and put the vote, when it was decided he should be immediately executed by being *burnt to death*—the sable culprit was led to a tree and tied to it, and a large quantity of pine knots collected, and placed around him, and the fatal torch was applied to the pile, even against the remonstrances of several gentlemen who were present; and the miserable being was in a short time, burnt to ashes.

An inquest was held over the remains, and the sheriff of Perry County, with a company of about twenty men, repaired to the neighbourhood where this barbarous act took place, to secure those concerned, but with what success we have not heard, but we hope he will succeed in bringing the perpetrators of so high handed a measure to account to their country for their conduct in this affair. This is the second negro who has been thus put to death without judge or jury, in that county.

#### MEMOIR OF DAVID BARCLAY.

The late David Barclay, who died in his 81st year, at Walthamstow, was the only surviving grandson of Ro-

bert Barclay, of Urie, author of the celebrated *Apology for the Quakers*. He was bred to business in the city of London, and was long at the head of a most extensive house in Chesapeake, chiefly engaged in the American trade, and the affairs of which he closed at the commencement of the revolution. He was, at that time, as much distinguished by his talents, knowledge, and integrity as a merchant, as he has ever since in retirement, by his patriotism, philanthropy, and munificence. We cannot form to ourselves even in imagination, the idea of a character more perfect than that of David Barclay. Graced by nature with a most noble form, all the qualities of his mind and heart corresponded with the grandeur of his exterior. The superiority of his understanding confirmed the impression which the dignity of his demeanor made on all; and though by the tenets of his religious faith he abstained from all the honours of public trust to which he was frequently invited by his fellow citizens, yet his influence was justly great on all the public questions of the day: his examination at the bar of the House of Commons, and his advice on the subject of the American dispute, were so clear, intelligent, and so wise that, though not followed, lord North publicly acknowledged he had derived more information from him than from all others on the east of Temple bar. It was the American revolution that determined him to wind up his extensive concerns, and to retire; but not as busy men generally retire; to the indulgence of mere personal luxury. His benevolent heart continued active in his retreat. He distributed his ample fortune in the most sublime ways. Instead of making all those persons whom he loved dependant on his future bounty, as expectants at his death, he became himself the executor of his own will, and by the most magnificent aid to all his relatives, he not only laid the foundation, but lived to see the maturity of all those establishments which now give such importance to his family. Nor was it merely to his relations that this seasonable friendship was given, but to the young men, whom he had bred in his mercantile house, and of

whose virtuous dispositions he approved. Some of the most eminent merchants in the city of London are proud to acknowledge the gratitude they owe to David Barclay, for the means of their first introduction into life, and for the benefits of his counsel and countenance in their early stages of it. It is a proof of the sagacity of his patronage that he had very few occasions to repent of the protection he had conferred. And the uninterrupted happiness he enjoyed for many years in the midst of the numerous connexions he reared, held out a lively example and a lesson to others of the value of a just and well directed beneficence.

His virtue was not limited to his relatives, to his friends, to his sect, to his country, or to the colour of his species—he was a man of the warmest affections, and therefore, loved his family and friends—he was a patriot, and therefore preferred his own country to all others; but he was a Christian, and felt for the human race. No man, therefore, was ever more active than David Barclay, in promoting whatever might ameliorate the condition of man—largely endowed by providence with the means, he felt it to be his duty to set great examples; and when an argument was set up against the emancipation of the negroes from slavery, “that they were too ignorant and too barbarous for freedom,” he resolved at his own expense, to demonstrate the fallacy of the imputation. Having had an estate left to him in Jamaica, he determined at the expense of near £5000, to emancipate the whole *gang* (as they are termed) of slaves. He did this with his usual prudence as well as generosity. He sent out an agent to Jamaica, and made him hire a vessel, in which they were all transported to America, where the little community was established in various handicraft trades and domestic services; the members of it prospered under the blessings of his care, and lived to show that the black skin enclosed hearts as full of gratitude, and minds as capable of improvement, as that of the proudest white. Such was the conduct of this English merchant!

During all this course of well doing,



his own manners were simple; his hospitality large, and his charities universal. He founded a house of industry near his own residence, on such solid principles, that though it cost him large advances, and much personal application for several years, he succeeded in his object of making it a source of comfort, and even of independence, to all the well disposed families of the poor around. We could fill a column with the recital of individual acts of his benevolence, which, though discriminate, was never degraded by the narrowness of a religious distinction.

Nothing could surpass the tranquillity of his last moments. He was composed, cheerful, and resigned. He had no struggle with life; he rather ceased to live than felt the pang of death.—*London Paper.*

#### SAMUEL NOTTINGHAM'S NEGROES.

In the year 1776, Samuel Nottingham, a Quaker, who became possessed of a small estate in Tortola, to which were attached twenty-five negroes—viz. six men, ten women, four boys, and five girls—determined on manumitting them. He accordingly did manumit them by a deed, dated 30th of 6th month, 1776.

In the year 1822 this little colony of free persons was visited several times by two highly respectable gentlemen; on whose authority we are enabled to state the following particulars. "Of the original persons liberated, nine are still alive; besides whom there are twenty-five of their children, and nine grandchildren; making in all forty-three persons. The whole of them reside on the same plantation, which they have ever since cultivated. Half of it is chiefly in provisions, and the rest is used as pasturage for their stock, which consists of twenty-eight cows, thirteen goats, and thirteen hogs. Formerly they cultivated cotton, but, the price falling very low, they did not continue to plant it. Jeffery Nottingham, one of those originally emancipated, exclusive of his share in the plantation and stock, possesses five acres of land and a house in Spanishtown, and a vessel of twenty-three feet keel. Diana and

Eve (born since 1776) have each a boat of seventeen and fourteen feet keel. For some years the seasons were so bad that they found it difficult to get water for their stock, and got little return for their labour: but still they had been able to support themselves, and to acquire the property mentioned above, while they increased in number from twenty-five to forty-three. Not one of them is now in debt; and their property is free from all incumbrance. Twelve of the grown up persons are members of the Methodist Society, and, with their children attend regularly the Methodist chapel at East End, except in case of sickness. During the whole period since their emancipation none of them have been sued in court, or brought before a magistrate to answer to any complaint. Only one of them once obtained a warrant against a person who had assaulted him, who begged his pardon and was forgiven. The same person, on coming from sea, was arrested the day he landed for a capitation tax on free persons, of which he had not been apprised, and put into prison. The next day he paid the money, about eighteen dollars, and was released. Several of them can read and write. Jeffery's wife, Grace, acts as schoolmistress: she reads well. They have lately built three houses in their village, of wood, and shingled. The whole of their houses had been destroyed by the hurricane of 1819, and have since been rebuilt. They are a fine healthy race, all black, having intermarried with each other; and seem to dwell very happily together."

#### CONSISTENCY.

It is a crime to go to Africa, and steal a man, and make him a slave. For two centuries this was no crime at all. It was most just and innocent commerce. My honourable friend, Mr. Wilberforce, instituted an inquiry into this innocent traffic, and it turned out to be a most intolerable enormity. It is a crime, then, by the laws of England, to make a full grown African a slave. And how is it less a crime, to make a new born creole a slave?—*Buxton's Speech in the House of Commons.*

THE

# African Observer.

NINTH MONTH, 1827.

## NEGRO SLAVERY.

(Continued from page 138.)

The slave is not admitted as a witness in any cause, either civil or criminal, where a white person is the defendant.

This incident appears as an axiom in the slaveholding systems of the British West Indies. The exclusion of servile testimony does not appear in the form of legislative enactments, but of established and general usage. The legislatures speak of the inadmissibility of servile testimony, as too obvious to require demonstration, and as constituting a part of the system in every age and country.\* They talk of the fatal consequences which *would ensue* from its admission, not as reasons for the adoption of *efficient* substitutes, but as excuses for the non-execution of the laws enacted for the benefit of the slaves. The evils resulting from this rigid extension of the Roman law, are admitted and deplored by those who seem not to have dreamed that the evils might possibly be re-

moved, by the annihilation of the rule from which they were acknowledged to flow. Bryan Edwards observes, "the great, and I fear, incurable defect in the system of slavery is, that the evidence of the slave *cannot be admitted* against a white person, even in cases of the most atrocious injury. This is an evil, to which, on several accounts, I fear, no direct and *efficacious* remedy *can be applied*." The learned historian then proceeds to record some of the expedients which have been devised, and which, he says, it may be *hoped*, will, in most cases, have the good consequence of a solid protection. I can, however, so far agree with the opinion first expressed, as to admit that these expedients, at least furnish neither a direct nor an efficacious remedy. The reason or the origin of the rule is not to be found in the West Indian codes. The author to whose labours I am so largely indebted, attributes it to the buccaneers, who were too illiterate and too regardless of legislative theories, to wander far in search of precedents to justify

\* This is the style of the Grenada legislature.

the course which their policy or prejudices suggested.\*

But the insular legislatures, at least in several of the colonies, improving upon the barbarity of the buccaneers, have extended, by special enactments, this harsh rule of law, to the descendants of slaves; or rather, to persons of African extraction, how long soever they and their ancestors may have been free. At the same time, the testimony of coloured persons is admitted against those of African extraction, without regard to the condition of either witness or defendant.

In the United States, the testimony of slaves is excluded from courts of law, when white persons are the defendants, either by special laws or by usages which have acquired the force of law, in all the states where slavery is tolerated. The exclusion of negro testimony, on account of colour alone, though common to most of the southern states, is nearly peculiar to them.

In New Jersey, *slaves* are not admitted as witnesses, except in criminal cases; in which, their testimony may be received for or against each other.† In Pennsylvania, the crimes of negroes and mulattoes, whether slaves or freemen, are tried and adjudged as those of other inhabitants of the state, except that a slave is not admitted to bear witness against a freeman.‡ Thus far the condition, not the complexion, determines the competency of the witness. But in Delaware we find the colour, as well as the condition, a matter of importance. When it shall appear to the court that no competent *white* person was present, free blacks and mulattoes may be per-

mitted to give evidence in criminal cases.\* In Maryland, no negro or mulatto slave, free negro or mulatto born of a white woman, during his servitude by law,† is admitted to be a competent witness in any case wherein a christian white person is concerned; yet when other sufficient evidence is wanting, against a negro or mulatto slave, free negro, or mulatto born of a white woman, during his servitude by law, the testimony of this class of witnesses, may be heard, and if supported by other pregnant circumstances, may lead to conviction.‡

In Virginia and Kentucky, no negro or mulatto, bond or free, is a competent witness, except in pleas of the crown against negroes or mulattoes, bond or free, or in civil cases, where negroes or mulattoes alone are concerned.§ The legislature of Missouri has copied this provision almost verbatim.¶ In these states every person having one-fourth negro blood, is declared by law a mulatto. In North Carolina, all negroes, Indians, mulattoes, and persons of mixed blood, descended from negro or Indian ancestors, to the fourth generation inclusive, (though one ancestor of each generation may have been white,) whether

\* Laws of Delaware.

† A law passed in 1663, directed that all the issue of English, or other free born women, that had married negroes, should serve the master of their parents till they were 30 years of age. This law was repealed in 1681, but in 1715, it was enacted, that all mulatto children, born of white women, should be servants till 31 years of age. Harris and M'Henry's Reports, Vol. 1. Butler v. Boarman, and Kilty's Laws of Md. 1715.

‡ Laws of Maryland, 1717, 1751.

§ Revised Code, 1819, Kentucky Laws, p. 1150.

¶ Laws of Missouri, p. 600.

\* Stephen, 108.

† Laws of Jersey, 1798.

‡ Law of 1780.

bond or free, are declared incapable in law of being witnesses, except against each other.\* But the testimony of one negro or person of colour, is not sufficient to convict another of a capital offence, unless corroborated by other pregnant circumstances.†

Where so little credit is accorded to the testimony of the coloured race, we might suppose that deviations from the truth, would be regarded, in them, as very trivial offences. Whatever difference may exist, in a moral view, between perjury and simple falsehood, we readily perceive, that the former can be justly punished as a greater *crime*, than the latter, only on the supposition that more credit is allowed to an oath than to a simple declaration. Where no credit is given to an assertion, society can be little injured by falsehood. The more society is liable to be injured by false declarations, the more rigidly must attention to veracity be enforced. To allow none but the lowest degree of credit to the utterance of truth, and yet to punish its infraction with rigour, appears incompatible with just and liberal legislation. The legislatures of several of the states have, however, thought proper to visit the utterance of false testimony, by sable witnesses, with a very cruel and tremendous punishment. Any negro or mulatto, bond or free, upon due proof made, or pregnant circumstances appearing before a county court, being found to have given false testimony, is liable, without further trial, to have one ear nailed to the pillory for one hour, at the end of which time, that ear to be cut off; the other

ear to be then nailed, in like manner, for an hour, and cut off; and to suffer thirty-nine lashes on the bare back, well (that is, severely) laid on, at the public whipping post.\* This excessive severity in the punishment of those who are adjudged guilty of bearing false witness against their sable brethren, for against them only could they commit such an offence, may be supposed to indicate extraordinary care to preserve the coloured race from suffering by unjust convictions; but it unfortunately happens that negroes and mulattoes are the only victims of this legislative anxiety. Those who are the least competent to inflict an injury by the utterance of falsehood, are the most severely tortured for the attempt.

I am not prepared to determine whether these tremendous punishments are ever inflicted as prescribed by law; and therefore, hope they rarely or never are; yet the laws do not appear merely among the dust of antiquated and forgotten statutes, but are found in the recent publications. The Revised Code of Virginia, and the Manual of Haywood, were published in 1819, and the edition of the Laws of Maryland in 1799. In Kentucky, a slave convicted of giving false testimony, is punishable with thirty-nine lashes;† and in Georgia, the crime is visited with the punishment brought by such testimony on the accused.‡

In South Carolina and Georgia, the

\* Haywood's Manual of the Laws of North Carolina, p. 523. Revised Code of Virginia, p. 431. Kilty's Laws of Maryland, 1751. In the last of these states, the punishment is a little varied but not mitigated.

† Laws of Kentucky, p. 1154.

‡ Prince's Digest, p. 448.

\* Haywood, 663. † Ibid, 544.

testimony of slaves and free coloured persons would appear to have been excluded by usage; for I find the necessity of bringing the crimes of slaves and free coloured persons to light, advanced as a reason, or perhaps, an apology for admitting the testimony of slaves. In the former state it is provided, that the evidence of any slave, without oath, shall be admitted, in all cases whatever, for or against another slave accused of a crime; as, likewise *against* any free negro, mulatto, or mustizo; which evidence, being seriously weighed and compared with other circumstances attending the case, shall be left to the consciences of the justices and freeholders.\* By a previous law of the state, no person can be admitted as a witness in behalf of a person accused of treason or felony, without having taken the usual oath to state the truth, &c.† Hence it appears, that according to law, a slave may give his testimony, for or against a slave, and against, but not for a free coloured person, without oath. In Georgia, any person who believes in a God and future state of rewards and punishments, is a competent witness in the trial of slaves or free persons of colour.‡

In South Carolina, we find the evils resulting from the exclusion of servile testimony fully recognized, but the expedient resorted to for redress strangely defective. "Whereas by reason of the extent and distance of plantations in this province, the inhabitants are far removed from each other, and many cruelties may be committed on slaves, because no *white* person may be present to *give evidence* of the same, unless some method be

provided for the better discovery of such offence; and as slaves are under the government, so they ought to be under the protection of masters and managers of plantations. Be it enacted, that if any slave shall suffer in life, limb, or member, or shall be maimed, beaten or abused, contrary to the directions and true intent and meaning of this act, when no white person shall be present, or being present, shall neglect or refuse to give evidence or be examined on oath, concerning the same; in every such case the owner or other person who shall have the care or government of such slave, and in whose possession and power such slave shall be, shall be deemed, taken, reputed, and adjudged to be guilty of such offence; and shall be proceeded against accordingly, without further proof, unless such owner or other person shall make the contrary appear, by good and sufficient evidence, *or shall by his own oath, clear and exculpate himself*; which oath, every court where such offence shall be tried, is hereby empowered to administer, and acquit the *offender*, if clear proof of the offence be not made, by *two* witnesses at least."\* This law has been imitated in Louisiana.

From the foregoing preamble it appears, that the testimony of free coloured persons, as well as that of slaves, is deemed inadmissible in South Carolina, and therefore, the evils of this practice must be applicable to them as well as the slaves, with this addition, that the protection, such as it is, accorded by the law, does not reach them. For the law we observe, applies only to slaves.

\* Brevard, Vol. 2, p. 232.

† Ibid, 337.

‡ Prince, 461.

\* Brevard, Vol. 2, p. 242.

It is difficult to believe, that a legislative assembly would gravely enact a law which they did not intend should ever be executed; yet what must we think of the understandings of men who would expect that the hand of cruelty could ever be restrained by such cobweb meshes as these.\*

Let us view the law a little more closely. In the first place, the offence must become known, and a suit be instituted against the supposed offender, where no *white* person, or in other words, no competent witness was privy to the offence. But how is this to be done, if the offender has the government of the person injured, and of his fellow slaves? Can a suit be commenced until probable evidence shall be obtained of the reality of the

\* Since the slave codes of the British sugar islands have obtained the serious attention of the parent government, various laws have been passed by the insular governments, ostensibly designed to meliorate the condition of the slaves, which, however inadequate to the object professed, may be explained without impeachment of the sagacity, whatever may be said of the integrity, of the legislators. The interference of parliament may, perhaps, be prevented by an appearance, on the part of the local government, of a disposition to redress such evils as admit of remedy. This explanation, however, cannot apply to South Carolina or Louisiana.

It is worthy of remark, that on large plantations where the slaves are entrusted chiefly to overseers, the owners do not always know their own slaves: and, therefore, an owner prosecuting an overseer for the murder or mutilation of his slave, may be unable to fix with certainty, upon the person accused, the charge of having had the government of the injured slave, unless he can be allowed to call to his aid the local knowledge of his other slaves.

offence? But supposing a slave to have been barbarously mutilated, by a brutal owner or overseer, in the presence of a number of slaves or free coloured persons; and that some humane individual, becoming acquainted with the fact, institutes a suit, and brings the mutilated slave before the court; it may be very difficult in a sparsely peopled district, "where the plantations are far removed from each other," to prove, unless the testimony of his fellow slaves is admitted, that the slave in question was actually under the government of the defendant. Imagining, however, that this difficulty has been surmounted, and the reality of the offence, as well as the individual under whose government it was committed, clearly proved, then to evade the law, an unprincipled master has only to swallow a false oath, and all is over. This being once done, a *single witness*, however competent and respectable, cannot convict him. Yet in general, a jury may convict an indicted person on the evidence of one witness, provided the testimony is sufficiently consistent and credible to satisfy them of its truth. Here then the courts are authorised, or rather required, to allow, to the most dubious of all testimony, a greater weight than to a witness of unexceptionable character. Can we soberly believe, that no credit ought to be allowed to the attestation of any person of African descent, and yet that a white man, accused, with appearances much against him, can be trusted as a competent witness in his own case? How many criminals should we be able to convict, in our courts of law, if they were permitted to exculpate themselves *by their own oath?*

The exclusion of servile testimony

though probably borrowed immediately from a people who troubled themselves but little respecting precedents, derives some colour of support from the civil law; for among the ancient Romans, the evidence of slaves was in general excluded, yet there were exceptions to it, founded in reason and policy; for men in that condition, might be examined when the welfare of the state in cases of weight and difficulty required such a departure from general principle, or *when other evidence was unattainable*.<sup>\*</sup> If the legislatures, or judicial tribunals of our slaveholding districts, would mollify their system, so far as to admit the last exception to the Roman law, the exception would, by such admission, become the rule, and the rule itself be transformed into a rare exception. It is a humiliating reflection, that a comparison of our servile codes with those of the least civilized nations of antiquity, should so frequently exhibit a balance against us. By what fatality has it happened, that we should so seldom modify the harsh rules of the ancient laws, which we have adopted, with their more humane provisions? Are we less civilized than the warlike and pagan Romans, or our gothic ancestors of the middle ages? The testimony of the English villein was admitted, in some instances, even where his lord was a party. And in criminal prosecutions it was no exception to a witness that he was of servile condition.<sup>†</sup>

<sup>\*</sup> Stephen, from Vact. ad Pandect. The sons of Lucius Junius Brutus, first consul of Rome, and other branches of the first families in the metropolis, were condemned on the testimony of a slave.

<sup>†</sup> Coke Litt.

The extension of the rule of evidence to persons of free condition, on account of their complexion or ancestry, is an innovation, for which it is believed no precedent can be found in the codes of any age or nation, where negro slavery had not been introduced.

But what after all is the true ground of this repulsive feature of our jurisprudence? That persons whose moral faculties are cramped by the servile yoke, and whose understandings have never been expanded by education, should be generally less entitled to credit, than those who have enjoyed superior advantages, is readily admitted. Yet independently of the practical evils which have been found to result from the rule under review, it seems necessary that the exclusion of the testimony of so large a part of our population, as the people of colour have become, should be supported by reasons of a more stable character, than either the examples of others, or any undefined apprehensions of danger can supply. To suppose that the slaves were generally so far debased, as to be totally unworthy of credit, would imply, that their masters were culpably remiss in the care of their morals. If they are to remain during life, under tutors and guardians, surely those guardians are bound to instil into their minds such principles of morality and religion as would elevate them above their grovelling condition—to raise them from infancy to manhood, without a knowledge of the simple duty of veracity.<sup>\*</sup>

<sup>\*</sup> The poor African mother, bewailing the death of her son, consoled herself with the reflection, that the poor boy had never told a lie. See Park's Travels, p. 264.

indicates an inexcusable neglect on the part of those who hold so large a portion of the negro's destiny in their hands. But could we admit that the whole coloured race, in the slaveholding districts of the United States, were so far neglected by their superiors the whites, how can we reconcile the admission of their testimony against each other? It must appear, that we are desirous that white criminals should escape with impunity, when the illfated sons of Africa alone have been injured, or that we are willing to entrust the lives and property of these people to the questionable testimony of their own race.

There is one species of crime of a heinous character, frequent instances of which, have been recently developed, in which the testimony of coloured persons is peculiarly important. I allude to the crime of kidnapping. In this nefarious business, there is commonly no person except the criminals and the victims, sufficiently acquainted with the facts to give the testimony required to procure convictions.

As the laws of several of the southern states now stand, if a series of villainies similar to what has recently transpired in Philadelphia, should take place a little further south, the principal being white, might escape with impunity, though the agent, a mulatto, might be convicted on the testimony of the boys who were carried off.\* In the state of Pennsylvania, it is true, the colour is not the legal standard of veracity, and therefore, this crime may be effectually prosecuted by means of the only testimony which the case

usually admits; but our neighbours to the south are as much interested as ourselves, in the entire extinction of this abominable commerce, and to them, the exclusion of the only evidence competent to the development of the truth, must be extremely embarrassing.

It appears to me that the attainment of justice must often require the testimony of those who are not altogether white. It is, indeed, difficult to reason soberly on a proposition so obvious, as that where facts are to be ascertained by the concentration of all the feeble and glimmering lights which can be thrown upon them, it is unwise, systematically to exclude what may often prove the most luminous and essential rays. And what is the danger to be apprehended from the admission in all cases of the evidence of a person of colour, whether bond or free? We have now a mode, unknown in Roman jurisprudence, of trying, not criminals alone, but witnesses also. The trial by jury, the boast of our common law, furnishes a mode of giving to different species of testimony their appropriate weight. Persons may be now admitted as competent witnesses, and their testimony operate to effect in the minds of a jury, from the circumstances under which it is given, and its connexion with other evidence, though the character of the witnesses, separately considered, may be of a very humble grade. The character of a witness for veracity, intelligence, means of information in relation to the question at issue; his motive for disclosing or concealing the truth, and manifestation of candour or sinister design, may all be judged of by the jurors; and if we even admit, that slaves or

\* See the narratives in page 39, &c. of this journal.



the descendants of slaves are less worthy of credit than slaveholders or their descendants, still there can be little doubt, that the prejudices of our colour against the tawny race, will induce our judges and juries to make all needful deductions from their testimony, at least while they are excluded, as they probably must long continue to be, from the bench and the jury box.

Whatever danger may be apprehended or professed from the general admission of negro testimony, there can be little doubt, that the true cause of its general rejection lies in the supreme contempt with which the tawny race are viewed, by those who hold the dominion over them. To permit the lives or estates of the privileged class to be jeopardised by the testimony of a slave, or even of one whose complexion was closely associated with the degradation of slavery, was more than the pride of power could brook. And no doubt, the conviction, that the evidence of slaves, if admitted into the courts of law, even after all the deductions are made from its credit, might often expose to public view some facts which were never designed to be generally known, has had its influence in the perpetuation of this rule. We frequently hear the introduction and presence of the negro race in the western world deplored as an evil; not because they are less white than ourselves, nor because they are a distinct race, for we see the races can and do amalgamate, but because they are a degraded people. Then, whatever measure tends to perpetuate that degradation ought to be changed. If the *slaves* themselves cannot as yet be allowed to state, at the bar of their country, what their

eyes have seen, upon what principle of necessity or expediency can we preclude the whole coloured population of our southern states from the privilege of assisting in the development of truth, and the exposure of crimes where white persons alone are the parties? Many of these people are respectable for principle and talents, and much more worthy of belief than a large part of the whites. To exclude their testimony is, besides the positive injury which is thereby frequently inflicted upon them, to place an obstacle in the way of their advancement to the station of respectable members of civil society. It is to keep them in a situation less useful than that which they might attain, and thus deprive the community of a portion of service.

In Pennsylvania, and other states, where the colour of the skin is no measure of veracity, the testimony of the coloured people is frequently adduced in support of justice, and probably instances of wilful perjury are quite as rare among them as among their fairer compatriots.

#### PRIZE ESSAY.

*Continued from page 145.*

In matters of profit and loss, however conclusive a theory may appear on paper; it may nevertheless be justly suspected if it stands opposed to the practice of mankind. "The children of this world are wise in their generation." Mankind are selfish, and they study their interest with such care and assiduity, that as a body they are not apt to mistake it. Avarice knows the road to wealth even better than philosophy herself. If slave labour, then, is so palpably and so extremely unprofitable, how does it happen that it has been so extensively resorted to?

A slight attention to the circum-

stances under which slavery was introduced into the West Indies and America, by those European nations who would not tolerate it at home, will answer this question. Take England for an example. When England introduced slavery into her American colonies and islands, she had as much free labour at home as the property-holders wanted to employ. Accordingly "slaves could not breathe in England. Their respiration could only go on in those parts of her *christian* dominions, where free labour was not to be had.—England, at that time, placed great reliance on her colonies as a source of revenue. It was her settled policy to monopolize all her colonial commerce, and to increase that commerce, as much as possible by increasing the productions of the soil. Here was a widely extended territory, with a soil and climate adapted to the raising of the most profitable articles of commerce. But the country was not yet populated. An immediate supply of labour was necessary, in order to render the colonies an immediate and productive source of revenue. As a momentary expedient, therefore, and in order to derive a momentary advantage, England commenced filling her colonies with slaves from Africa. The American planters, also, consulting their immediate profit, and disregarding future consequences, and looking upon slave labour as better than none, at first fell in with the slave policy of England. But our forefathers finally discovered, that if slavery expedited the supply of labour on the one hand, it deteriorated its quality on the other. They became anxious that the country should populate with better inhabitants than the African slave. In their colonial legislatures, they imposed heavy duties on the importation of slaves, and in 1772, "Virginia was encouraged to look up to the throne and implore paternal assistance in averting a calamity of a most alarming nature." But the throne, (I mean of England) was in the habit of turning a deaf ear to American prayers. The final welfare of America was of small importance, compared to the immediate supply of the English treasury.

The same causes which induced England to prohibit slavery at home, while she was pouring them into her colonies, led Spain to pursue the same course. And so of France, and all the European powers, who were supplied with free labour at home, but had infant colonies in the West Indies or America, which would lie for a short time without cultivation for the want of labour, unless a forced, unnatural, and in the long run, an unprofitable system was resorted to, to supply the article. Instead of waiting for the new world to populate with labourers by the emigration of freemen, and the natural increase of population, slavery was resorted to as a more speedy method of introducing labour. But the ten millions of inhabitants with which two hundred years have peopled the United States, show how small must have been the necessity of enslaving mankind in order to introduce human labour into America. Labour, like all other commodities, if it had been left free to regulate itself by the conflicting interests and necessities of mankind, would soon have found its way to the place where it was wanted, and supplied the demand. That this momentary deficiency of free labour was the sole cause of introducing slavery into America, appears conclusively from the fact, that those nations who introduced it, prohibited slavery at home, where there was free labour enough to do the work. Slave labour could only obtain where free labour was absent. The former was not able to compete with the latter, where the employer had his choice.

Having accounted for the manner in which the acting part of the world have been led to employ slave labour, by circumstances which caused them to violate their own general rules and maxims, in matters of interest, I will now attempt to add a few reasons, why free labour, from the nature of things, as a general rule, must be the cheapest. The natural price of all human labour, which it requires no uncommon skill to perform, is barely a support of the labourers. Circumstances may vary this price for a time. But a bare support of the labourers,

is the point to which the price of human labour is always tending. The reason is obvious. The population of any country is regulated by the means of subsistence. The means of subsistence with the labouring class is their labour. If the price of labour is such, that their labour more than supports them, they rapidly increase in numbers. This increase of labourers has a natural tendency to reduce the price of labour, precisely as the increased production of any other commodity has a tendency to reduce its price. Thus, labourers continue to increase and the price of labour to decrease, until the labour of those who have no extraordinary skill at some mechanic art, or in some lucrative profession, is barely sufficient to support them. If labourers multiply beyond this limit, pauperism ensues, and becomes more and more aggravated, until it checks the increase of population. The labour of the labouring classes becomes inadequate for their support, and immense numbers of them must perish for want of food, or be fed at the table of public bounty. This is at present the case in England and in most of the old countries in Europe. At the present prices of labour in England, the labour of the labouring classes is not sufficient to support them by several millions of pounds sterling. This deficiency is now made up by the poor rates; but if the labourers were slaves, it would be supplied from the private pockets of their masters. Admitting, then, that a slave population will do as much work as a free, and that each will consume the same value of food and clothing, and the present amount of the poor rates in England is the precise sum which the immediate employers of English labour save to themselves by its being free instead of slave.

But to talk of a slave's using the economy, and doing the labour of a freeman! The word slave is but another name for a lazy, wasteful, faithless fellow. It never was doubted, that a man constantly stimulated by the considerations that his character, his wages, in short, his living depends upon the industry and fidelity with which he labours, is much more ac-

tive than he would be if he was put in motion by no other stimulant than the fear of punishment. Free labourers are always more or less animated by that active principle which may be seen in its full and most beautiful display by attending the plough match of our society. There is a constant rivalry among them, who shall maintain the character of doing the most work, in the shortest time, in the best manner. Among slaves, this rivalry is reversed. The question with them is, who shall do the least work, in the longest time, in the worst manner, and escape punishment. I do not claim that there is no exception to these general rules. But these are the different principles, with which nature has furnished man, as the general regulators of his conduct in the different predicaments of free and slave. With regard to the expense of supporting a free or slave population, I will only remark, that if the food and clothing of slaves may be a little coarser than that of freemen, that consideration is counterbalanced by the superior economy of freemen in the consumption. The motives of a poor free labourer to use the strictest economy in living, and the temptation of a slave to be wasteful, are engrafted upon the same principles of human nature which lead the former to be industrious, and the latter to be idle, and they operate with the same force in the one case as the other. To sum up our reasoning, it amounts to this. A free population of labourers cause the earth to produce vastly more, and of that production they themselves consume vastly less than a slave population. In either case, the labourers only deduct what they consume from what they cause the earth to produce, as the price of their labour, and the remainder goes to the property holders.

The doctrine that a bare support of the labouring classes of society, is the natural price of their labour, may seem to lead to the conclusion, that a poor free labourer can never rise above his poverty. But such a conclusion by no means follows. We have been viewing labourers as a whole class of society, and not as individuals. When viewed as a mem-

ber of the labouring class of society, each active individual labourer is considered as incumbered with his share of the old, the young, and the infirm, which his labour must support besides maintaining himself. But when we view labourers, or any other class, as individuals, we see that the burden of supporting the weak is not laid thus equally upon the strong. We see strong and healthy labourers, in the vigour of manhood, unincumbered with an equal proportion of the weak and infirm. If such a labourer, so circumstanced, could only support himself, if he could lay up nothing by his industry, the weak and the infirm, and those whom they encumber, could not exist. Therefore, in a country where the price of labour stands precisely at its natural point, where it supports, and only supports the labourers as a class, a young, healthy labourer, who only labours for himself, will be able to rise above his poverty. He will be able to lay up each year, as much as he would have to expend in supporting the young, the old, the sick, and the unfortunate, if he bore his share of these burdens. With good management, the savings of one year become a helping fund the next; the use of which, added to the income of his labour, quickens his pace from the vale of poverty, and in a few years he finds himself among the substantial property-holders of the country.

In further proof of the position that slave labour is expensive, I would ask, where has slavery principally centred? In the most fertile countries, and in southern climates, which grow the most profitable productions. The reason is, that slavery is a tax that poor soils and cold climates cannot endure. The cost of cultivating an unproductive soil with slaves, is more than the productions of the soil will bring in return. A lazy, negligent, wasteful slave, upon a cold, sterile, ungrateful soil, instead of producing any thing for the support of his master, would starve himself. But cold countries and comparatively unproductive soils are cultivated with free labour to great advantage. Switzerland, Scotland, and New England, are striking examples. The freedom

and character of the labouring population, render each of these countries, to which nature has not been liberal in her gifts, populous and wealthy. But reduce the free labouring population (if it were possible) to a state of slavery, and no man can doubt the consequences that would follow. Pauperism and famine would ensue, until it reduced the population to the number which could live in idleness and waste, upon a poor, half-cultivated soil.

Lastly, let me particularly remind the farmer, that the economy, industry and good husbandry of labourers, are not more effectual in increasing the population of a country, than they are in enhancing the price of lands. The price of land is every where affected by the character and number of agricultural labourers upon it. Land without labourers, is good for nothing. It might as well be water, as the most fertile soil. It is the labourers upon the sandy plains of Rhode Island that make them bear a higher price than the fertile bottoms of the Mississippi. The difference in the price of land in old and new countries, is mainly owing to the circumstances, that the former are filled with labourers and the latter not. Some suppose it is the presence of those who consume the produce of the soil that raises the price of the land. But it is the presence of labourers. The produce of the soil may be consumed any where, but a man must be upon the soil in order to cultivate it. For example, our flour bears about the same price, whether those who consume it reside in the country, in Baltimore or in London. Let all the people of Frederick county suddenly substitute a different bread stuff in the place of wheat, and if the rest of the world continued to make use of wheat for bread, the price of our wheat would experience no perceptible change. The price of wheat remaining the same, the price of the land which produces it would also remain the same. But let all the labourers leave Frederick county, and let it become impossible to supply their places for half a century, and our lands would be worth no more than lands of the same quality and advantage in a new

country. So clear it is, that it is the presence of labour to till the land, which gives it its chief value.

But the price of land is affected by the quality of the labourers, as well as the number in the country. If the labourers are so negligent, idle and wasteful, that they consume as much, in value, as they cause the land to produce, the land is still of no profit to the owner. The value of the land is regulated by the value of the surplus produce which it yields after deducting the support of the labourers. A man's farm, therefore, may be of no value from three causes. First, that it is situated in a new country, where there is no labour to cultivate it, or where the quantity of land so far exceeds the quantity of labour in the country that every man who chooses, can find land enough to cultivate without paying any thing for the use of it. In this state of things, land, like air and water every where, is one of the common elements. There is more than enough for every body in the country to use as they please, and therefore nobody pays for the use of it. Secondly, a man's farm may be of no value, because the quality of the soil is so indifferent, that the labour to cultivate it is worth as much in the market, as the produce which it yields. If a farm is so poor that it takes twenty dollars' worth of labour, at the market price of labour, to raise twenty dollars' worth of produce, at the market price of produce, the farm can hardly be said to have any value. True, the owner may labour upon his farm, and thus procure a living. But he lives, strictly speaking, not upon the income of his farm, but upon the income of his labour. His farm pays him no more for his labour than his neighbour, who cultivates richer land, is willing to pay for the same labour. It follows, thirdly, from what has been already said, that a rich soil, in a country where there are labourers enough, may produce no income to the owner, because the labourers are so idle, wasteful, and negligent, that they consume as much in value as they raise. This course of reasoning is fully sustained by the low price of the most fertile land in all new countries where la-

bour is scarce; the high price of comparatively poor land at the north, where the labouring classes are the most industrious, economical and thrifty, and for the depreciated price of first-rate lands in Maryland, where the labourers are idle, and wasteful, and unfaithful, because they are slaves.

But it is time to conclude an argument, which the public are not prepared to believe. The period has not yet arrived, for the American public to give full credence to any part of the truth on the subject of slavery. But if slavery continues, that period will come. Our form of government, our whole policy in every particular, with the exception of African slavery, is calculated to fill the Union with as dense a population as ever existed in any country. The limit of population is the means of sustaining life. These means are the most fully developed, and produce their utmost effect in free governments, where every citizen is left in the full enjoyment of his rights, and where he is permitted to push his way by the exercise of all his talents, skill and strength. When, from these causes, the United States shall teem with an overflowing population; when, as frequently happens in all populous countries, some change in national affairs shall suddenly throw the poor free labourers out of employment; when poverty and want, hunger and cold, shall excite them to frenzy, and drive them to desperation; when to this shall be added the aggravating circumstance, that in order to sustain the system of African slavery, millions of the American poor are expelled the farmer's field, where it is their birthright to labour, that they may live; then will be the time, for truth to burst upon a nation, which thought to reconcile the conflicting powers of the moral universe: a nation which continued to worship slavery as a household goddess, after it had constituted liberty the presiding divinity over church and state.

#### ABOLITION OF SLAVERY IN THE MIDDLE STATES.

The cessation of slavery in the state of New York on the anniversary of our

national independence in the present year, having become a subject of public notoriety, it will probably be interesting to some of our readers, to see an account of the progress of emancipation in the middle and eastern states, and of the laws enacted there for the melioration and extinction of slavery.

The first that attracts our notice is Pennsylvania. The legislature of that state, by an act, dated the 1st of March, 1780, entitled an act for the gradual abolition of slavery, directed, that all servitude for life, or slavery of children, in consequence of the slavery of their mothers, in case of children born within the state, after the passing of the act, should be utterly taken away, extinguished, and for ever abolished. But such negro or mulatto children, born within the state after the passing of the act, as would have been slaves in case the law in question had not been made, were liable to be held to service, as bound children or servants were, until they attained the age of 28 years. All slaves, who were such at the time of passing the act, were required to be registered in books provided for the purpose in the city or county, before the first of November, then next ensuing; and none to be deemed slaves, or servants till 31 years, unless thus recorded. To prevent the evasion of this law, it was provided, that no negro or mulatto should be held to service by indenture for a longer time than seven years, unless the person so bound, was at the commencement of the term under 21 years of age; in which case, an obligation to serve till 28, but no longer, was declared valid.

The tenth section contained a proviso, excluding from the benefit of the law, the domestic slaves of members

of congress, foreign ministers, and sojourners not becoming resident within the state; limiting the slaves of the last description of holders, to a period of six months. In a few years it was found that several evasions were practised, particularly one deduced from the proviso in the tenth section.

Slaves were brought into the state and held nearly, but not quite six months, then removed, for a few minutes, beyond the line of the state, and brought back to remain another term of a little less than six months.

A supplementary and explanatory act was therefore passed in 1788, by which the evasion of a semi-annual visit to an adjoining state was prevented. By this supplement, the removal of slaves beyond the bounds of the state was prohibited. The African slave trade was also interdicted under severe penalties; and some other salutary regulations adopted in favour of the coloured race.

About the year 1818, it was discovered that a number of attempts had been made to carry off from Philadelphia, and the adjacent country, free coloured persons under the character of fugitive slaves. The law of congress respecting fugitives from justice, and persons escaping from the service of their masters,\* by the ample powers

\* The third and fourth section of that law are as follow:

That when a person held to labour in any of the United States, or in either of the territories on the north west or south of the river Ohio, under the laws thereof, shall escape into any other of the said states or territory, the person to whom such labour or service may be due, his agent or attorney, is hereby empowered to seize or arrest such fugitive from labour, and to take him or her before any judge of the circuit or district courts

conferred upon the aldermen and justices of the peace, afforded means for unprincipled dealers in human flesh, to add the semblances of law to the realities of rapine. Free persons were taken by warrant, carried before an alderman or magistrate judged fit for such business, and there claimed as a fugitive slave. That officer, if disposed to favour the applicant, might grant, and there was reason to suppose, that some of them did grant,

of the United States, residing or being within the state, or before any magistrate of a county, city or town corporate, wherein such seizure or arrest shall be made, and upon proof to the satisfaction of such judge or magistrate, either by oral testimony or affidavit taken before and certified by a magistrate of any such state or territory, that the person so seized or arrested, doth, under the laws of the state or territory from which he or she fled, owe service or labour to the person claiming him or her, it shall be the duty of such judge or magistrate to give a certificate thereof to such claimant, his agent or attorney, which shall be sufficient warrant for removing the said fugitive from labour, to the state or territory from which he or she fled.

That any person who shall knowingly and willingly obstruct or hinder such claimant, his agent or attorney in so seizing or arresting such fugitive from labour, or shall rescue such fugitive from such claimant, his agent or attorney when so arrested pursuant to the authority herein given or declared; or shall harbour or conceal such person after notice that he or she was a fugitive from labour, as aforesaid, shall, for either of the said offences, forfeit and pay the sum of five hundred dollars. Which penalty may be recovered by and for the benefit of such claimant, by action of debt, in any court proper to try the same; saving moreover to the person claiming such labour or service, his right of action for or on account of the said injuries or either of them.

upon very doubtful testimony, a warrant for the removal of the alleged fugitive to the state from which he was said to have eloped.

This law, in its practical operation, was nothing less than granting to an officer, whose jurisdiction in other cases, was limited to claims of not more than one hundred dollars, the power to pronounce any coloured person a slave, if claimed as such in the absence of counter testimony. A coloured person could be taken up in Philadelphia, brought before an alderman in the evening, claimed by a stranger, with another stranger for witness, adjudged a slave, delivered to the claimant, and before morning removed beyond the bounds of the state. This avenue to oppression, and the reality of the evils resulting from it, claiming the attention of the legislature, a law was enacted, dated 27th of March, 1820<sup>9</sup>, increasing the penalty upon the forcible or fraudulent abduction of coloured persons, and prohibiting aldermen and justices of the peace under a penalty of five hundred dollars, from executing the trust devolved upon them by the general government.

During the session of 1825—26, a deputation from the legislature of Maryland attended at Harrisburg, with a view of procuring a law to facilitate the recovery of fugitive slaves. In consequence of whose application a bill was introduced and finally enacted, of which the following is a summary.

Any person who shall by force or fraud, carry away any negro or mulatto beyond the limits of the commonwealth, with a design of holding such negro or mulatto as a slave or servant for any time, or of causing it

to be done, or who shall cause or abet in such removal, shall be adjudged guilty of a felony, and forfeit a sum of not less than five hundred, nor more than two thousand dollars, and suffer an imprisonment at hard labour, of not less than seven, nor more than twenty-one years.

A similar penalty is prescribed for knowingly selling or buying a negro or mulatto with design to cause his or her removal out of the state, to be held as a slave or servant for any term whatever.

When a person held to labour or service in any other state, shall escape into this, the claimant, or his agent or attorney, *constituted in writing*, may procure the arrest of such fugitive, upon a warrant of a prescribed form, returnable to a *judge* of the proper county. But no warrant is to be issued for the arrest of a fugitive from labour, upon the application of an agent or attorney, unless the applicant shall, in addition to his own oath or affirmation, produce the affidavit of the claimant, taken before a proper officer, in the state where he resides, with the certificate of the prothonotary or clerk of the court of record; which affidavit must state the name, age and description of the fugitive.

The judge, before whom the fugitive shall be brought, is required to afford reasonable time for the production of testimony, but not to receive in evidence on the hearing of the case, the oath of the owner, or other person interested. If the claim shall be supported to the satisfaction of the judge, he is bound to give a certificate, which is a warrant for the removal of the fugitive.

Aldermen and justices of the peace

are, as in the law of 1820, forbidden, under a penalty of not less than five hundred dollars, nor more than one thousand dollars, to give a certificate authorizing the removal of the fugitive from the state.\*

The next in order of time is the state of Massachusetts.

Slavery was introduced there soon after the settlement of the country, and tolerated until the ratification of

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\* By the constitution of the United States, (Art. 6, sec. 2,) that constitution, and the laws of the United States, made in pursuance thereof, are the supreme law of the land; any thing in the laws of any state to the contrary notwithstanding. Hence the provision above noticed may be supposed altogether nugatory.

This constitutional article, however, will be subject to legal construction. It has been a question, whether congress can confer jurisdiction on the courts and officers of the state governments, and in several of the state courts decided in the negative. In the Supreme Court of the United States it is held, that no part of the criminal jurisdiction of the United States, can, consistently with the constitution, be delegated to the state tribunals; (Wheaton's Reports, Vol. 5, p. 69,) and the opinion, that congress cannot confer jurisdiction upon any courts but such as exist under the constitution and laws of the United States, has been delivered from the bench of the same tribunal, (Ibid, 27.) It, therefore, appears very questionable, whether the law of congress for the recovery of fugitive slaves could be legally executed by the officers of the state governments, unless authorized by an act of the local legislature. (See also Constitution of the United States, Art. 3, Sect. 2, p. 1.) The validity, however, of the restriction in Pennsylvania, does not depend on a difficult legal or constitutional question. No authority, conferred by the general government upon the officers of the state, is denied or annulled, but those officers are merely prohibited from exercising that authority.



the present constitution.\* According to the well known maxim of civil law, the child born of a female slave was held to be the property of her master. Yet, as the number of slaves in the state was never large, it is probable the practice of holding them, was never popular. Several negroes, born in the country of imported slaves, demanded their freedom of their masters by suits at law, and obtained it by a judgment of court. In these cases, however, the defence of the master is said to have been but faintly made; and probably a previous understanding between the parties existed: for such was the temper of the times, that a discontented slave was of little value; and when freedom was obtained by a legal process, the master was not held responsible for the support of the slave, in case he became poor.

But, in the first action involving the right of the master, which came before the Supreme Judicial Court, after the adoption of the constitution, the judges declared that, by virtue of the first article of the declaration of rights, slavery no longer existed in the state.† The principle adopted in this case, appears to have been, that the right of a reputed slave, to his personal freedom, was not created, but merely recognised by the declaration

of rights. For in an action,\* tried at Middlesex in 1796; the chief justice in charging the jury, stated as the unanimous opinion of the court, that a negro born in the state before the adoption of the present constitution, was *born free*, although the mother was a slave. It is certain, however, that the common usage had been opposed to this opinion.†

It is observable that the constitutional article upon which the extinction of slavery in the state of Massachusetts was founded, is nothing more than the echo and amplification of a part of the celebrated declaration of independence. The same article, almost word for word, is contained in the bill of rights connected with the constitutions of Pennsylvania and New Hampshire, the former of which was adopted in 1790, and the latter in 1792.

In Pennsylvania very considerable efforts were made to bring the constitutional existence of slavery before the legal tribunals of the state, but no decision of the question was ever obtained. The question here is now of no great practical importance, as slavery is fast melting away, under the operation of acknowledged laws: and in a few years must totally disappear. In New Hampshire, I understand a de-

\* The constitution of Massachusetts was agreed upon in "convention, begun on the 1st of September, 1779, and continued by adjournments to the 2d of March, 1780." One day after the passage of the Pennsylvania law.

† The article alluded to is the following: "All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing and protecting property; in

fine, that of seeking and obtaining their safety and happiness."

\* This was not an action for the attainment of freedom, but for the recovery of the expense incurred by the maintenance of a reputed slave, whom his supposed master had abandoned, and refused to support. The negro in question was born in 1773, of parents reputed and held as slaves, yet it was adjudged in 1796, that he was born free.

† Massachusetts Reports, Vol. 4, p. 128.

cision, similar to that in Massachusetts, put an end to slavery in the state. At what period this decision took place, I am not informed; but find that in 1810, no slaves were reported.

In the state of Vermont, an article similar to that contained in the Massachusetts declaration of rights, was prefixed to the state constitution established in 1793; yet there the construction of this article, as far as slaves were concerned, was not left to the courts of law, but set down in unequivocal terms as the necessary result of the principles assumed.\* Slavery could, therefore, no longer exist in that state; and indeed, the number previously held was so small as to present no obstacle to an instantaneous emancipation of them.

The legislature of Rhode Island, in the year 1784, enacted, that no person born in that state on or after the 1st day of March of that year, should be deemed a slave, but that all servitude for life, or slavery of children, to be born as aforesaid, in consequence of the condition of their mothers, should be taken away and for

\* The first article of the Vermont declaration of rights is, "That all men are born equally free and independent, and have certain natural, inherent, and unalienable rights, amongst which, are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety: therefore, no male person, born in this country or brought from over sea, ought to be holden by law to serve any person as a servant, *slave*, or apprentice, after he arrives to the age of twenty-one years, nor female, in like manner, after she arrives at the age of eighteen years, unless they are bound by their own consent after they arrive to such age, or bound by law for the payment of debts, damages, fines, costs, or the like.

VOL. I.—23

ever abolished. Children thus born were to be maintained till they should attain the age of twenty-one years, at the expense of the owners of their mothers, provided the mothers, during that time, continued to be held in slavery.

By previous acts, slaves brought into the state were declared free. And any attempt on the part of a master, to transport his slaves beyond the limits of the state, was punished with a forfeiture of his claim; and the slave thus removed or attempted to be removed became free.\*

In the state of Connecticut, slavery was never expressly and directly authorized by statute, but was tolerated in practice; and the numerous laws enacted for the regulation of slaves may be considered as indirectly establishing the legal right to hold them. In the year 1784, a law was passed, prohibiting the introduction of slaves into the state: and likewise an act, declaring that all children, born of slaves, after the 1st of March in the then current year, should be free upon their attaining the age of twenty-five years.

By subsequent acts, the removal of slaves beyond the bounds of the state, was prohibited; and penalties annexed to the crime of kidnapping free persons of colour, or those entitled to freedom at the age of twenty-five years.†

Next on the list is the state of New York. In the year 1799,‡ a law was

\* Laws of Rhode Island, published by authority, p. 442.

† Swift's System of the Laws of Connecticut, Vol. 2, p. 348.

‡ A law of 1786, manumitted a number of slaves who had escheated to the state by the attainer or conviction of their holders.

passed, that children born of slaves, after the 4th of July of that year, should be *servants* to the legal proprietors of the mother, males until twenty-eight, and females until twenty-five years of age. Every such child was required to be registered within nine months from its birth, in the office of the clerk of the city or town where born. The person entitled to the service of such child, might within one year from its birth, abandon his claim; in which case the child was to be bound out as other paupers. A law dated 31st of March, 1817, directs, that children born of slaves after the passing of that act, should be held, as servants to the owner of the mother, until the age of twenty-one years, and no longer. Persons entitled to the services of such children, were required, previous to their attaining the age of eighteen years, to cause them to be taught to read, so as to be able to read the Holy Scriptures, or to give them, between the ages of ten and eighteen years, four quarters schooling: upon neglect of this education, the claim <sup>to</sup> service was to cease at the age of eighteen, and the youths whose services were thus forfeited, to be immediately bound as apprentices by the overseers of the poor.

Any person coming into the state, with intent to reside permanently therein, was permitted to bring any slave born since the 4th of July, 1799; such slave to be held as a servant, if a male, to the age of twenty-eight, or if a female, to that of twenty-five years. Reasonable means were to be used to teach such servants to read, if under the age of twenty-one years.

No slave to be brought into the state, and held as such, (except under the limitations above stated,) and all

such as were brought in, contrary to the intention of the act, were declared free. To prevent the evasion of the act, it was declared, that no indenture or contract for personal service, made by a person who had been held as a slave, out of the state, should be obligatory within the state, but the same was declared void; and every such indenture or contract made since 30th of March, 1810, was also void; and the person so held and bound was declared free.

Any person convicted of the forcible confinement of a negro, mulatto, or mustee, with intent to cause his removal beyond the limits of the state, to be held as a slave, is subjected to a fine not exceeding one thousand dollars, and to imprisonment at hard labour for a term not longer than fourteen years.

Every negro, mulatto, or mustee, within the state, born before the 4th of July, 1799, was declared free from and after the 4th of July, 1827.\*

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\* This provision, if it related to any species of property except slaves, could not be supported on constitutional grounds. In 1799, the slaves were considered as the *property* of their holders; and if those holders, were then possessed of vested rights in the bones and sinews of other men, it would appear too clear to require discussion, that they could not on any acknowledged principle of law, be divested of those rights, without adequate compensation. But slavery is a peculiar case. The principles on which slaves are held, and the nature of the right possessed by their holders, compose an important part of the subject. In a state of nature all men are free and independent. The world is open alike to all the children of men. The only property which man, in his native state, can claim as exclusively his own, is his *own person*. Conse-

The state of New Jersey is the last which has joined the society of non-slaveholding states. Though the slaves have generally borne a greater ratio to the white population in New Jersey, than in any other north of Delaware, yet slavery has not there ap-

peared in its most repulsive garb. The slaves have generally been treated with lenity, and their wants comfortably supplied. This may be assigned as a probable cause of the tardiness of her movements in the abolition of slavery.

quently, the produce of his labour is exclusively his; but the earth and its spontaneous productions, are goods in common. This common property when improved and adapted to the uses of man, by the application of labour, becomes blended with the labour itself, and to secure the latter to its rightful proprietor, the former must be appropriated: hence this common property comes to be held in severalty. Thus the right of private property results from a natural and unalienable right to our own intellectual and physical powers. In a state of society, a part of our natural rights is given up for the sake of more effectually securing the rest. Or more properly our natural rights are partly retained, and partly thrown into common stock. Allegiance and protection are the price of each other. The authority of governments is derived from the consent, express or implied, of the governed. Hence all who are bound by the laws, are equally entitled to the protection of law. Slavery is a forced and unnatural state. As far as it is a legal institution at all, it is plainly an usurpation, not an exercise of legal authority. It depends upon no principle of right, but is the creation, or rather the spurious offspring of law. A legislative enactment, declaring the protection of law withdrawn from the holders of a species of property, which was originally rendered such, by an act of usurpation, is therefore, in reality, a repeal of those laws which had grown up, in the shape of statutes or usages, amidst violence and wrong, and in total repugnance to the principles of just legislation. And surely no constitutional objection can be raised to the repeal of a law, how long soever it had existed, which had no foundation in justice, and which no legislature was competent to enact.

In 1786, a law was enacted, imposing a penalty of £50 (\$133 $\frac{1}{2}$ .) for bringing into the state any slave imported from Africa since 1776. A penalty of £20 was imposed upon any person, except an emigrant settling in the state, who should bring in a slave, though such slave had not been imported since 1776.

A law of 1788, provides that no slave who had resided one year last past in the state, should be removed out of it, with a view of changing his place of abode, without legal consent, under a penalty of £20; except that persons permanently removing from the state had liberty to take their slaves with them. Masters and mistresses of negro and mulatto slaves and servants, were enjoined to teach them to read while under twenty-one years of age; under a penalty of £5, for neglect or refusal.\* Some further melioration of the laws respecting slaves was made in 1798, and an emancipating clause, in the act of that year, was lost in the house of assembly by a single vote.†

At length an act, dated February 15th, 1804, was procured for the gradual abolition of slavery; which provides that every child born of a slave

\* By act of 1798, this penalty was raised to one hundred and forty dollars; applying the requisition to children born after the 26th of November 1788.

† Minutes of the convention of delegates from Abolition Societies, 1798.

within the state after the 4th of July, then next ensuing, should be free; but remain as a servant to the owner of the mother, and the executors, &c. of such owner, if a male until the age of twenty-five years; and if a female, until the age of twenty-one years.

All the children so born to be recorded, within nine months after birth, in the books of the clerk of the county. Persons entitled to the service of such children, may at the end of the first year abandon their right; in which case the children are to be bound out, by the overseers of the poor till they attain the ages of twenty-five or twenty-one years, according as they are males or females respectively.

In 1818, a law was enacted, which provides, that no negro or other slave, or servant of colour, for life or years, should thereafter be removed out of the state, except in certain specified cases. The penalty for the violation of the law, was a fine of not less than one thousand, nor more than two thousand dollars, or imprisonment, at hard labour, for a term of not less than two years, nor more than four years, or both, at the discretion of the court. Slaves exported, or attempted to be exported, or sold, or transferred for the purpose of exportation, were declared free. The laws for the abolition or melioration of slavery were revised and consolidated in 1820.

Thus the fabric of negro slavery, the work of ages, has during the last half century, been gradually crumbling away. We have now the consolation of certainly knowing, that this evil will not, in the eastern or middle states, be entailed on posterity, but must inevitably expire with the present generation. The philanthropist can hardly breathe a more ardent wish

than that our slave burthened brethren of the south may, by the adoption of prudent and equitable measures, be speedily placed in the same enviable situation.

#### SLAVE TRADE IN EASTERN AFRICA.

I calculate the number of slaves sold annually in the market of Shendy, at about five thousand, of whom about two thousand five hundred are carried off by the Souakin merchants, and fifteen hundred by those of Egypt; the remainder go to Dongola, and to the Bedouins who live to the east of Shendy, towards the Albara and the Red Sea.

The slaves brought from Kordofan to Darfour, are, for the greater part, from the idolatrous countries of Benda, Baadja, Fetigo, and Fertit, to the south and southwest of Darfour, from twenty to forty days from Kobbé; each of these countries speaks a separate language. The Darfour merchants trade with Fertit, which lies about twenty days from Kobbé, in a southerly direction; the country is mountainous, and the inhabitants are wholly ignorant of agriculture; but they have tasted the luxury of Dhourra and Dokhen, and are said, in cases of a dearth of these grains, to sell their own children to procure them.

Far the largest proportion of the slaves imported into Shendy are below the age of fifteen. All of them, both male and female, are divided by the traders, with reference to age, into three classes, namely: Khomasy, comprising those apparently below ten or eleven years; Sedasy, those above eleven and below fourteen or fifteen; and Balegh, or grown up, those of fifteen or upwards. The Sedasy are the most esteemed. When I was at Shendy, a male of this class was worth fifteen or sixteen dollars, provided he bore the marks of the small pox, without which a boy is not worth more than two thirds of that price; a female was worth from twenty to twenty-five Spanish dollars. The price of the male Khomasy was twelve; of the female fifteen dollars. The male Balegh seldom sells for more than eight

or ten dollars; and there is but a small proportion of this class, because it is thought, both in Egypt and Arabia, that no great dependance can be placed upon any slave, who has not been brought up in the owner's family from an early age. Hence there is a great reluctance to the purchasing of grown up slaves, for domestic purposes, or even for labourers. The Bagleghs are chiefly bought by the Bedouins, who employ them as shepherds. The Bisharein have many of them in all their encampments. Grown up female slaves, although past the age of beauty, sometimes sell for as much as thirty dollars, if they are known to be skilful in working, sewing, cooking, &c. In Syria few slaves are kept; those which I have seen there are, for the greater part, imported by the caravans from Bagdat, and come from Souahel, on the Mozambik coast.

Few slaves are imported into Egypt without changing masters several times, before they are finally settled in a family; for instance: those from Fertit, are first collected on the borders of that country, by petty merchants who deal in Dhourra. These sell them to the traders of Kobbe, who repair to Fertit in small caravans for that purpose. At Kobbe they are bought up by the Darfour or Kordofan traders, who transport them to Obeydh in Kordofan. Here they generally pass into the hands of other Kordofan dealers, who carry them to Shendy, for the Kordofan merchants commonly limit their speculations to a single market; thus the Kordofan people who trade to Darfour, are different from those who visit Shendy; while, on the other hand, the Egyptians who trade to Shendy only, are different from those who proceed forward to Sennaar; and in like manner, the Souakin traders are divided into Shendy, and Sennaar merchants. At Shendy the slave is bought by some Egyptian or Madbe. Upon his arrival in Upper Egypt he is disposed of either at Esne, Siout, or Cairo. In the two first places, entire lots of slaves are taken off by merchants, who sell them in retail at Cairo, or in the small towns of Upper Egypt, in each of which they stop a few days, in their passage down the river. Even

at Cairo, they are not always finally disposed of in the first instance. The Khan of the slave traders, is crowded with pedlers and petty traders, who often bargain with the merchants of Upper Egypt, for slaves immediately after their arrival, and content themselves with a small profit for the resale. Again, there are merchants from Smyrna and Constantinople, residing constantly at Cairo, who deal in nothing but slaves; these persons export them from Alexandria, and it often happens, that they pass through three or four hands, between Alexandria and their final destination, in the northern provinces of Turkey. Such is the common lot of the unfortunate slaves; but many instances happen of a still more rapid change of masters. At Shendy and Esne, I have seen slaves bought and sold two or three times before they were finally removed from the market; after which, perhaps, if the master, at the end of a few days' trial, did not find them answer his expectations, he would again put them up for sale, or exchange them for others. In fact, slaves are considered on the same level with any other kind of merchandize, and as such are continually passing from one merchant to another. The word *ras*, [head] is applied to them as to the brute species; and a man is said to possess ten head of slaves, in the same manner as he would be said to possess fifty head of sheep. When the buyer is desired to take the slave away, it is usual to say, "Drive him out"—an expression which is applied to cattle.

I have seen among the young slaves for sale at Shendy, many children of four or five years old without their parents; others of the same age are met with in the market, with their mothers; and the traders so far show their humanity, that they seldom sell them separately; when such a thing is done, the vender is generally reproached with being guilty of an act of cruelty.

In buying slaves, the traders are very attentive to their origin, because long experience has proved to them that there is little variety of character amongst individuals of the same nation. Thus the Noubas, who come

from Sennaar, are said to have the best dispositions next to the Abyssinians and Gallas, and to be the most attached to their masters. Of the Abyssinians, those from the northern provinces, called Kostanis, are said to be treacherous and malicious, while the Amaaras are noted for their amiable tempers. Of the western regions, those from Benda are the most esteemed, and next to them, those imported into Darfour from Bornou, a Mahomedan country, whose inhabitants carry off their Pagan neighbours. The slaves from Fertit are said to be furious and vindictive, and stand lowest on the list.

Few slaves arrive at Shendy who have not already passed a considerable time in a state of slavery. The strongest proof of this fact is, that I never saw any who could not make themselves understood in Arabic; and the greater part of those imported from Darfour and Kordofan, besides their own native tongue, and Arabic, have some acquaintance with the idioms of those countries.\*

The treatment which the slaves experience from the traders, is rather kind than otherwise. The slaves are generally taught to call their masters Abouy, [my father] and to consider themselves as their children. They are seldom flogged, are well fed, are not over worked, and are spoken to in a kind manner. All this, however, results not from humanity in the traders, but from an apprehension that under different treatment the slave would abscond; and they are aware that any attempt to prevent his flight by close confinement would injure his health; for the newly imported slaves delight in the open air, and reluctantly enter houses, which they look upon as prisons. But when they are once in the desert, on the way to their final destination, this treatment is entirely changed; the traders knowing that the slaves have no longer any

means of escaping, give a loose to their savage temper. At Shendy, I often overheard my companions, who, though savage enough, were certainly not of the worst class of slave merchants, say, when a slave had behaved ill, and they were afraid of punishing him, "Let him only pass Berber and the Korbadj, we'll soon teach him obedience." The Souakin traders, with whom I afterwards travelled, showed as little humanity, after we had passed Taka. The health of the slave, however, is always attended to; he is regularly fed, and receives his share of water on the road at the same time that his master drinks; and the youngest and most delicate females, are permitted to ride upon camels, while all the others perform the journey on foot, whether it be to Egypt or Souakin, as they had done from Darfour to Shendy. The hardness of the young slaves is extraordinary; after several successive days' march, at the rate of ten or twelve hours a day, I have seen them in the evening after supper, playing together, as if they had enjoyed a long rest. Females, with children on their backs, follow the caravan on foot; and if a camel breaks down, the owner generally loads his slaves with the packages. If a boy can only obtain in the evening a little butter with his Dhourra bread, and some grease once in two or three days, to smear his body and hair, he is contented, and never complains of fatigue.

Another cause which induces the merchants to treat their slaves well, is their anxiety to dissipate that horror which the negroes all entertain of Egypt and the white people. It is a common opinion in the black slave countries, that the Egyptians devour the slaves, who are transmitted thither for that purpose.\* Of course

\* Several pages are here omitted from regard to the feelings of the reader. Those who wish to see one of the most horrid parts of the system of slavery, may consult our author, p. 328, &c.

\* A curious proof of this occurred while I was in Upper Egypt: a great man who had bought two girls at Siout from the Darfour caravan, soon afterwards made a party with some friends to spend an afternoon in the cool caves in the mountain behind Siout, and ordered the two girls to attend him. When they entered the

the traders do every thing in their power to destroy this belief; but notwithstanding all their endeavours, it is never eradicated from the minds of the slaves.

Slave boys are always allowed complete liberty within the yard of the house; but the grown up males, whose characters cannot be depended upon, or whose dispositions are unknown, are kept in close confinement, well watched, and often chained. On the journey they are tied to a long pole, one end of which is fastened to a camel's saddle, and the other, which is forked, on each side of the slave's neck, and tied behind with a strong cord, to prevent him from drawing out his head; in addition to this, his right hand is also fastened to the pole at a short distance from his head, thus leaving only his legs and left hand at liberty. In this manner, he marches the whole day behind the camel; at night, he is taken from the pole, and put in irons. While on my route to Souakin, I saw several slaves carried along in this way. Their owners were afraid of their escaping, or of becoming themselves the objects of their vengeance; and in this manner they would continue to be confined, until sold to a master, who, intending to keep them, would endeavour to attach them to his person. In general, the traders seem greatly to dread the effects of a sudden resentment in their slaves; and if a grown up boy is only to be whipped, his master first puts him in irons.

It is not uncommon to hear of a slave dealer selling his own children born of negro women, and instances occur daily of their disposing of female slaves who are pregnant by

caves they immediately conceived it to be the place destined for their immolation; and when the knives were produced to cut the meat that had been brought for dinner, one of them ran off, and endeavoured to escape, while the other threw herself on the ground, imploring the company to spare her. It required a considerable time to convince them that their fears were ill founded.

them; in such cases, the future child of course becomes the property of the purchaser. Most of the traders have old slaves who have been for many years in their service; these are placed over the young slaves bought in trade, and become very useful in travelling; but even these too I have seen their masters sell, after they had become members, as it were, of the family, merely because a high price was offered for them. It is vain to expect, in a slave trader, any trace of friendship, gratitude, or compassion.

What I have seen and heard of the negroes has made me conceive a very indifferent opinion of their general character; but I ought to add, that I have not yet seen them in their native countries, before they fell into the hands of these vile traders, who would spoil the mildest and most amiable dispositions. I have found, however, very few instances of slaves being sincerely attached to their masters, even when well treated by them. Their general vice is an incorrigible stubbornness and haughtiness of temper, and many of them betray a deadly rancour and spirit of revenge; but in general the treacherous disposition discernible in the children born of the free Arabs of the Nile and of Nubia, is certainly not to be found among them. They are lazy and slovenly, and will not work but when forced to do so. They seem to be almost entirely devoid of every feeling but that of gratifying their appetites; and provided the slave is well fed, and receives a regular allowance of butter and meat, and of grease to besmear his body, he cares little for the stripes and curses he receives. The merchants say, "Never trust a black slave; whip him well, and feed him well, and the work will be done." I know not whether the maxim is founded in truth or not, but it is certainly that by which the merchants are guided, when they are no longer afraid of their slaves escaping. The slaves, nevertheless, whether from strength of mind, or from brutal apathy, manifest the same propensity to mirth and frolic. In intellect, I think, they are much upon a level with the negro Arabs, and little lower than the inhabitants of Egypt and Syria; nor should I much blame their obstinacy, if it were not



too often accompanied by malignity. I have already observed, that different characters are assigned to different countries, and all that I observed of them has not diminished my belief, that with proper education the black nations might be taught to approach, and perhaps to equal the white.

Though the slaves endure the greatest fatigue, they are not of a harder constitution than Europeans; indeed, I have reason to believe, that, upon the whole, they are more frequently attacked by diseases; when ill, they certainly endure them much less patiently. It is a saying among the traders, that a blow, i. e. illness, which scarcely makes an Arab stagger, knocks down a slave. I first saw here (at Shendy) the Fertit, or genuine Guinea worm, although it is not unknown among the slaves and Soudan merchants who come to Upper Egypt. It seems very common in Soudan, and I also saw it in Arabia. The worm does not attach itself exclusively to the leg; I have seen it issuing from the arm, the breast, and the knees, though its favourite place seems to be the calf of the leg. Persons are more rarely attacked with it in Shendy than in Kordofan and Darfour; and great numbers of the slaves and traders coming from the two latter places are affected by it. Though it occasions great pain, it does not prevent the sufferer from walking until the very approach of death. I have been shown persons who have been repeatedly attacked by it, but who had always had the good fortune to desecrate the worm breaking through the skin, when they were able, with patience, to draw it entirely out; for it proves mortal, only, when it does not issue through the skin, or when, having issued, it is afterwards broken off in the act of drawing out. Even in the latter case, many persons are cured. In Kordofan, and Darfour, the attack of the Fertit is universally ascribed to the animal matter contained in the water which is drank after the first rains.

In Soudan it is rare that male slaves are emancipated, but we find many females who have obtained their liberty. It is different in Arabia and Egypt, where a slave very seldom re-

mains in a respectable family for a series of years, without being made free; and then he is either married to a female slave of the family, or remains voluntarily as a servant, and receives wages. It is a general custom in these latter countries, to emancipate every female slave who has borne a child to her master. It is there considered discreditable, especially if the child is a male, not to present the mother with the marriage contract, signed by the Kadhé, which is the only marriage ceremony used on these occasions. If the child dies after this marriage, it is not considered improper to divorce such a wife, but provision must, in that case, be made for her.

Slavery in the East, has little dreadful but the name; male slaves are every where treated much like the children of the family, and always better than the free servants. It is thought a mean action to sell a slave, after he has been long resident in a family. If a slave behaves ill, he is generally sent into the country to work as a labourer in the fields of his master. Female slaves, who are servants in families, are not so well off as males, because they generally suffer much from the jealousy of their mistresses. It is only by the Turkish soldiers that slaves are ill treated. They purchase in Upper Egypt, slave boys, whom they rear in their service, and who after they have come to a certain age, and learned the Turkish language, are clothed and armed as soldiers, and enlisted into the company or corps of which their master is the chief. He then draws the monthly pay of his slave from the governor, as he does that of every other soldier; for, according to the regulations of the Turkish army, the captain receives the pay for the number of men whom he has under his command; and distributes it among them. It thus becomes a source of emolument to him to enrol slaves; to whose services the government never objects, and whose pay goes into his own pocket, as he is subject only to the obligation of feeding and clothing them. Great numbers of black soldiers have, in this manner, been introduced into the Turkish army in Egypt. At present

from six to eight hundred slaves are bought up annually by the Turkish officers in Egypt.

In the southern countries, a slave brought up in the family (I do not here speak of the traders) thinks himself superior to every other person in it, except the master; he is admitted to all the family councils, is allowed to trade, or engage in any other business on his own account, and to do just as he pleases, provided he proves a bold fellow, and, in case of emergency, can wield a sword in his master's defence; he may then misbehave at pleasure, without fear of punishment. If a slave kills a free man, his master is obliged to pay the price of blood, otherwise, his own family becomes exposed to the retaliation of the relations of the slain; for the death of a slave who commits murder, is not deemed a sufficient atonement for the death of a free man.

In Egypt and Arabia the law gives to the slaves one great advantage; if they are discontented with their master, and decidedly determined not to remain with him, they have the right of insisting upon being sent to the public slave market to be resold. The owner may at first refuse to part with his slave, but if, having overcome the fear of exposing himself to the effects of his master's rage, the slave finds an opportunity of making his demand, in presence of respectable witnesses, and perseveres in this conduct, he must at last effect his purpose. Some slaves are less able to take advantage of this privilege, which the law grants to all, from being shut up in the harem, where no one hears their complaints, except those who are the cause of them.

According to the most moderate calculation, the number of slaves actually in Egypt is forty thousand, two-thirds of which number are males. There is hardly a village in which several of them are not to be found, and every person of property keeps at least one. During the plague in the spring of 1815, upwards of eight thousand slaves were reported to the government to have died in Cairo alone. I have reason to believe, however, that the numbers exported from Soudan to Egypt and Arabia, bears only a

small proportion to those kept by the Mussulmans of the southern countries themselves, or in other words, to the whole number yearly derived by purchase or by force, from the nations in the interior of Africa. At Berber and Shendy, there is scarcely a house which does not possess one or two slaves, and five or six are frequently seen in the same family, occupied in the labours of the field, tending cattle, &c.; the great people and chiefs keep them by dozens. As high up the Nile as Sennaar, the same system prevails, as well as westwards to Kordofan, Darfour, and thence towards Bornou.

All the Bedouin tribes also who surround these countries, are well stocked with slaves. If we may judge of their numbers by those kept on the borders of the Nile, (and I was assured by the traders, that slaves were more numerous in those distant countries than at Shendy,) it is evident that the number exported towards Egypt, Arabia, and Barbary, is very greatly below what remains within the limits of Soudan. From what fell under my own observation at Berber and Shendy, I believe, that the slaves of both sexes, on the borders of the Nile from Berber to Sennaar, amount to not less than twelve thousand. As the population of Darfour, according to Mr. Browne, is two hundred thousand, there are probably twenty thousand slaves in that kingdom; and every account agrees in proving that as we proceed farther westward, into the populous countries of Dar Saley, Bornou, Bagermé, and the kingdoms of Afrou and Haoussa, the proportion of the slave population does not diminish.—*Burkhardt.*

#### AFRICAN INSTITUTION.

##### *Twenty-First Report.*

The Directors propose, as usual, to take a review of the events connected with the slave trade which have occurred during the past year.

1. *France.*—France has at length improved her legislation for the repression of the slave trade; and although the measures she has adopted are far from being fully adequate to

the exigency of the case, they unquestionably indicate a better spirit on the subject. A law has recently passed, by which all who co-operate or participate in any manner whatever in the negro slave trade (including owners, supercargoes, underwriters, commanders and other officers,) are subject to banishment, and to a fine equal to the value of the ship and cargo, to be inflicted jointly on the individuals concerned; the ship and cargo being, moreover, confiscated. The captain and officers are besides rendered incapable of serving either in the Royal or Mercantile Navy; and the marines, those excepted who in fifteen days from arrival, shall disclose the facts of the case, shall be imprisoned from three months to five years. And these penalties are to be independent of such as, by the existing Penal Code, may be incurred for other crimes proved to have been committed in the course of the voyage, such as the murder of slaves, &c.

The discussion of this measure in the Chambers was rendered remarkable by a speech of the Duke de Broglie, which will bear a comparison for acuteness of reasoning, force of eloquence, and comprehensive knowledge of the subject, with any thing which has appeared upon it.

That this law may produce a considerable effect in checking the trade with the ports of France, is very probable; but if a great change shall not be effected in the mode of administering justice in the French colonies, the trade, it is to be feared, will still be carried on thence. Whatever may be its future effect, certainly the annals of the past year exhibit little or no diminution of French slave trading on the coast of Africa. The list of French slave ships boarded by our cruisers will show this.

Since the French cruisers have been more active in making captures on the coast, it has become the practice of the French slave traders to fortify themselves with double sets of papers and flags, their own and those of some other nation—the Dutch for example. With the latter they have been supplied at St. Eustatia, through the connivance of the Dutch authorities. These Dutch documents are held

in readiness, in the case of being boarded by a French cruiser, while the French papers and flag serve to elude English capture.

We are happy to say, that through the persevering efforts of the Society of Christian Morals, formed at Paris, a committee of which devote their labours to the abolition of the slave trade, public feeling has of late been greatly excited on this subject in France, and we may fairly look forward to such other measures of legislation in that country as will at length cleanse it from the reproach of tolerating this traffic.

We presume that it may be ascribed to the expectation of this new law for the repression of the slave trade in France, that the remonstrances of our government with that power occupy so small a space in the papers laid this year before parliament.

2. *Netherlands.*—Notwithstanding the good faith and cordiality with which the Netherlands government have acted in acceding both to the mutual right of search, and to the right of capture and condemnation, not only where slaves are actually found on board, but where an intention to trade in slaves is clearly apparent, some of its colonial functionaries, as has been already remarked, continue to place themselves in opposition to the wishes of their government, and to lend the protection of their official character to the nefarious speculations of the slave trade. About two years ago, some vigour began to be shown by the French cruisers, in executing their abolition laws. It became necessary, therefore, for slavers of that nation, in order to be secure, to protect themselves with the papers and flag of some other nation. The French flag, though an adequate defence against English capture, was no defence against their own cruisers. They have accordingly established in the Dutch islands of St. Eustatius and Curacao, as well as at the Havana, and the Danish Island of St. Thomas, the means of effecting fraudulent sales, and obtaining fabricated documents and false flags. These documents and flags are exhibited whenever they are visited by a French man of war, from whom also their real French papers

are carefully concealed, and only produced on the visit of an English cruiser. Of these nominally Dutch, but really French or American slavers, seven have been lately condemned at Sierra Leone. The names and particulars will be found in the appendix.

Surely it would not be found difficult for the Netherlands government to put an effectual stop to these frauds. Representations have been made on the subject by our minister at Brussels, but we do not discover in the official correspondence laid before parliament that these representations have hitherto produced any result.

The communications from the British commissioners at Surinam are confined to the details of a plan for preventing the slave trade in that colony, by adopting the plan of a registration of slaves in force in Trinidad. If the local authorities will bestow their cordial efforts on the completion of this plan, and on securing its due observance, a more effectual termination will be put to the illicit introduction of slaves than could be effected by any other means.

3. *Spain*.—The conduct of Spain, with respect to the slave trade, has evinced one unvarying course of evasion on the part of the colonial functionaries; and of indifference, if not faithlessness, to engagements on the part of the government. The papers now laid before parliament exhibit, in every rank, from the highest to the lowest, an absence of moral restraint, and a recklessness of human misery, which are perfectly sickening. The state of our relations with Spain, during the last year, though it has not prevented the frequent renewal of representations and remonstrances on the peculiar and increasing enormities which accompany her slave trade, may possibly have prevented their assuming that very strong force of urgency which alone seems adapted to the flagrancy of the case. We had interests more immediate and pressing to discuss, and the very magnitude and delicacy of these may have made it more difficult to deal with a question which required the most energetic remonstrances.

The number of Spanish slave ships condemned at Sierra Leone in the

last year, amounts only to six. The number boarded, but not detained, was immense—they appear to have swarmed on the coast. The treaty with Spain, unfortunately, does not admit of their detention unless slaves are found on board; so that our cruisers who visit them, although the indications of their slave-trading purposes are as clear as the sun—and these purposes are in many cases even avowed—are obliged to leave them unmolested to pursue their criminal traffic; and when a fair opportunity of escape offers, they take their slaves on board in a few hours, and set sail for their destination.

The number of slaves captured on board these six ships was 1360; but one of them being overset in a tornado, the slaves on board, to the number of 197, perished. The crowded state of these ships, and the sufferings of the slaves from that cause, and from the ravages of dysentery and small-pox, are now become such necessary incidents of the trade, that they excite no surprise. One case, however, which occurred so recently as February last, may be specified. It is that of the *Paulita*, Antonio Terrara, master, captured off Cape Formosa by Lieutenant Tucker, of his majesty's ship *Maidstone*, with 221 slaves on board. Her burden was only 69 tons, and into this space were thrust 82 men, 56 women, 39 boys, and 44 girls. The only provision found on board for their subsistence, was yams of the worst quality, and fetid water. When captured, both small-pox and dysentery had commenced their ravages. Thirty died on the passage to Sierra Leone, and the remainder were landed in an extreme state of wretchedness and emaciation.

Some of the atrocities practised by the Spanish slave-traders on the coast, are forcibly and succinctly described by Mr. Canning, in a letter to our ambassador at Madrid, dated the 3d October, 1826:—

"It appears," he says, "that it is the custom of the owners of these Spanish piratical vessels, the greater part of which there is reason to suppose are equipped at the Havana, to send them out fitted both for trade and for war; but their trade is the pro-

scribed trade in human beings, and the war they wage is a war of piracy.

"It is their practice to hover on the coast of Africa, where, if they can conveniently barter for, and embark a cargo of slaves, they proceed with that cargo generally direct to the Island of Cuba. If they do not succeed at once in this barter, or if an opportunity of piracy previously presents itself, they seize the first vessel they meet with, preferring one that may be laden with slaves. Taking possession of the vessel, they murder or put on shore the white men found on board, and proceed with the vessel and cargo to Cuba, where they land the slaves surreptitiously at the back of the island, and then enter in ballast at the Havana."

An instance is then mentioned as having recently occurred, in which a prize, with an English prize crew, had disappeared, murdered, as it is supposed, by these pirates. In another instance, the *Netuno*, Brazilian slave ship, prize to his majesty's ship *Esk*, was proceeding to Sierra Leone in the charge of Mr. Crawford, a master's mate, when she was boarded by the boat of a Spanish vessel, called the *Carolina*, mounting ten guns. The pirate captain and another, who were threatening to drag Mr. Crawford from the prize, were shot dead by him, and the remainder of the boat's crew jumped overboard, and regained their vessel. An action ensued, when the pirate was beat off, but not till one woman had been killed and another wounded on board the *Netuno*.

The details furnished from the Havana by our commissioners are still more opprobrious than those from Sierra Leone, and exhibit the conduct of the public functionaries there in a light which cannot be suitably characterized without using terms it might be unseemly to employ. They appear to feel the obligations (in what concerns the slave trade,) neither of humanity nor national faith, nor even of personal honour.

It is no more than justice to the British commissioners at the Havana, Mr. Kilbee and Mr. M'Leay, to say, that they have ably and vigilantly and fearlessly performed their duty, in very trying and difficult circumstances, with almost every public functionary

and the whole Spanish population combined to defeat their vigilance, and to screen the gross acts of delinquency which are continually recurring. It is even surprising how, in the face of such obstacles, they have been able to effect so much as they have done, and particularly to procure such a mass of valuable information respecting the violations of the laws which are daily occurring in the island. This is to be ascribed, indeed, in part, perhaps chiefly, to the effrontery with which in the very harbour of the Havana, and under the very eyes of the commissioners, as well as in more distant parts of the island, slave ships are fitted out for the African coast, and their cargoes of slaves are afterwards disembarked on their return thence.

Some of the cases are of a very aggravated description. In one case a vessel, the *Minerva*, is chased into the harbour by two British ships of war. Notice is given of the fact to the civil and military authorities; officers of the captain general's suite visit the ship, and see her living cargo; and, notwithstanding all this, two hundred slaves, which were on board, are landed in the presence and actual view of the British naval officers belonging to the ships which had chased her; and when this disgraceful proceeding is denounced, and the incontrovertible evidence of the facts laid before the local authorities, there instantly seems a concurrence among them to take no steps to recover the slaves and punish the delinquents. All they think of is to question the sufficiency of the proof, and to quibble about the law of the case.

Even an apparently rigorous edict of the Spanish government, which was transmitted to the Havana a year or two ago, though it excited at first a passing alarm among the slave traders, sunk, in a few weeks, into the same state of utter neglect which had been the fate of every preceding decree. It is painful to dwell on this perpetual scene of rapacity and profligacy, of fraud and falsehood, in which it is difficult to say which most excites disgust and abhorrence—the ferocious cruelties practised by the immediate agents in the trade, or the

heartless indifference with which the Spanish authorities contemplate these atrocities. What can be expected from the infatuated obduracy with which they continue from year to year to crowd Cuba with an accumulation of fresh exiles from Africa, but that a storm should at last burst forth, which will spread, as formerly in St. Domingo, insurrection, desolation, and death, throughout all its coasts?

A considerable portion of the papers which relate to Spain is occupied with a correspondence between the British consul at Cadiz, Mr. Brackenberry, the British authorities at Gibraltar, and our government at home, respecting the outfit of Spanish slave ships at that fortress. Mr. Brackenberry, with a vigilance and zeal in the cause of humanity which do him infinite honour, pointed out to the governor of Gibraltar, at different times, four Spanish slave ships, which were completing their outfit at Gibraltar. He pointed out their owners and consignees, specified the very terms of their insurance from Gibraltar to the coast of Africa, and thence to Cuba, and recommended that the law against them should be carried into effect. The authorities at Gibraltar did not seem at first aware of the power they possessed under the acts of parliament, abolishing the slave trade, of interfering to prevent and punish this felonious and piratical proceeding; and several of the vessels denounced by Mr. Brackenberry were, therefore, allowed to proceed on their voyage. But the matter is now better understood; and a proclamation has been issued, warning all persons against fitting out vessels there for the slave trade, on pain of incurring the heavy penalties of the act of parliament.

The proclamation, however, will do little good, unless it be followed by measures of rigid scrutiny into every case affording fair ground of suspicion, and by bringing the guilty parties to trial and punishment.

4. *Portugal*.—During the last fifteen years, the only pretence advanced by Portugal for refusing totally to abolish her slave trade has been the necessities of her transatlantic possessions. Since the declaration of the independence of Brazil, this pretence

has no longer existed. Portugal, nevertheless, has clung to the trade; and has recently advanced a claim to carry it on without molestation, from the coast of Africa, for the supply of her African islands, the Cape de Verdes, St. Thomas, and Princes, whence it would obviously be an easy matter afterwards to transport them to the Brazils or Cuba. A traffic of that description is actually proceeding at this moment, of the occasional interruption of which, by British cruisers, the Portuguese ambassador ventured rather loudly to complain as a breach of treaty. This complaint, and the intention apparent on the part of Portugal, to cling to the slave trade by means of her African islands, even after the separation of Brazil, have happily led Mr. Canning to search more particularly into her existing compacts with this country. An able and luminous note has been the consequence of this inquiry, in which, after specifying the various compacts and negotiations between the two states, from 1810 to the present time, he shows it to be “a distinct engagement” entered into by the contracting parties, “that they shall not permit their flag to be used for the slave trade, except for supplying the *transatlantic* possessions of Portugal.” He then proceeds:—

“It is quite clear, that the Cape de Verdes, Princes, and St. Thomas’s islands are not transatlantic. The supply of these possessions with slaves is, therefore, not permitted; and by the royal passport under treaty forbidding a slave ship to touch at any intermediate port between the legal spot of the embarkation of her cargo and the spot of their ultimate destination, it is equally clear that slave ships touching at these islands for any purpose whatever short of imminent distress, are liable to confiscation.

“By the tenor of the arguments of the Portuguese negociators, from the date of the treaty of alliance, in 1810, down to that of 1817, and by the plain inference to be drawn from its words, the terms ‘Transatlantic Possessions’ of Portugal must be held to designate the Brazils.

“As Portugal has no longer possession of the Brazils, she has no longer

any possession for the supply of which, by treaty, the slave trade was permitted; and all vessels under her flag now trading for slaves, must be trading to places outside of the line which she has drawn for herself in this respect, and are obviously acting in direct violation of the existing engagements between Portugal and Great Britain.

"Although our remonstrances have hitherto failed upon this matter, still, aware as we have been of the necessarily unsettled state of the councils of Portugal, we have been unwilling to take the enforcement of the treaty into our own hands as if she had declined to fulfil her engagements. We have been willing to believe that she required time for their completion.

"Under these engagements, therefore, Great Britain now calls on her (only in a friendly spirit) to give a pledge in writing for that general abolition of the slave trade, for which the time is come."

In the letter accompanying this note Mr. Canning stated, "We have already said distinctly, that we never will sign a treaty with Portugal, that does not contain an article for the final and total abolition of the Portuguese slave trade."

The above note was presented to the Portuguese minister for foreign affairs, on the 23d of September, 1826. His excellency's reply to it is dated the 2nd of October, and is conceived in the following clear and gratifying terms:—

"The undersigned is authorised to declare that the Portuguese government acknowledges that the moment is come to put an end to the inhuman trade in slaves; and that, consequently, it will have no hesitation to insert in the Treaty of Commerce, which the undersigned hopes will be shortly concluded between Portugal and Great Britain, an article, by which his most Faithful Majesty binds himself, not only to the total abolition of the slave trade in the dominions of Portugal, but also to co-operate with his Britannic Majesty for the total extinction of so barbarous a traffic in the countries where it unfortunately still exists."

This is a fresh triumph, for which humanity is indebted to Mr. Canning.

A motion has also been made in the

Portuguese chamber of deputies for the entire abolition of the slave trade, but with what effect has not yet appeared.

5. *Brazil*.—The largest chapter of the parliamentary paper is given to Brazil. That division of it which relates to the transactions of the mixed commission court at Sierra Leone, contains a variety of details of the same cruel and revolting description which are to be found in the successive reports of the institution during the last fifteen years.

Between the first of January, 1825, and the 31st of July, 1826, upwards of 1500 Brazilian slaves were condemned into freedom; and it appears from the Sierra Leone Gazette, that several important captures were subsequently made. One, the *Principe de Guinee*, freighted with 608 slaves, and strongly armed, was gallantly taken, after a desperate resistance, by Lieut. Tucker, in a small schooner, a tender to his Majesty's ship *Maidstone*. Another, the *Intrepida*, measuring only 100 tons, had on board 310 slaves in a state of great wretchedness and emaciation, 70 of whom died in 46 days. A third, the *Invincible*, with a cargo of 440 slaves—a number, it seems, 63 short of her full complement; but these were so crowded together, that it became absolutely impossible to separate the sick from the healthy; and dysentery, ophthalmia, and scurvy, breaking out among them—the provisions and water being of the worst kind, and the filth and stench beyond all description—186 of the number had perished in less than 60 days.

Two Brazilian ships brought into Sierra Leone for adjudication, were ordered to be restored to the claimants, because, though they had taken their slaves on board north of the line, they were actually captured south of the line—an occurrence for which the treaty had not provided. The slaves on board these two ships, the *Activo*, and the *Perpetuo Defenso*, amounting in all to 590, when they understood they were to be given up to the claimants, mutinied, and effected their escape to the shore; and having made good their landing there, the acting governor refused to permit force to be used to recover them; and they are

now under the care of the colonial government. The question of compensation was referred by the mixed commission court to the decision of the two governments.

It now appears by a despatch of Mr. Canning's, of the 30th of December last, that the following equitable principle is in future to govern such cases; namely, "That, on the one hand, no compensation can, in equity, be due to traders for losses sustained by them in cases of traffic, carried on under circumstances which constitute an illegal trade; whilst, on the other hand, no condemnation of a vessel ought to take place, when the capture is made at a spot absolutely within the boundary prescribed for capture by the treaties."

The only practical inconvenience of this course is, that the captors receive no benefit from the capture. The slaves, however, are not the less put into possession of their liberty.

That part of the parliamentary papers which refers more immediately to Brazil, exhibits a remarkable contrast between the vigilant and persevering efforts of the British consuls in the different provinces to repress the contraband slave trade, and the subterfuges and evasions, intermixed with occasional blustering, which the Brazilian functionaries employ to counteract these efforts, and to screen the guilty contrabandists.

Remonstrances, without end, have continued to be presented, and proofs exhibited of illicit importations into Brazil from the northern line of the African coast; but they have been treated with a disregard which it seemed surprising that our government should so long tolerate. Their forbearance, however, is, perhaps, accounted for by the recent appearance of a treaty, which, at length, fixes the final period of the Brazilian slave trade—"at the expiration of three years, to be reckoned from the exchange of the ratifications of the present treaty, (in March, 1827,) it shall not be lawful for the subjects of the emperor of Brazil to be concerned in the carrying on the African slave trade, under any pretext, or in any manner whatsoever: and the carrying on of such trade after that period,

by any person subject to his Imperial Majesty, shall be deemed and treated as piracy."

This is another great triumph achieved by Mr. Canning in the course of the last year; and though it is impossible not to mourn over the horrors of the intervening period, yet let us not lose sight of the gratitude we owe to God, for having thus far crowned with success the efforts of this country in the cause of humanity—that the decree has at length gone forth, that before three years shall have elapsed, the African slave trade will cease to have a legal existence in any part of the civilized world.

6. *United States.*—It is to be regretted that no arrangements have yet been entered into with the American government for the mutual suppression of the slave trade, especially as there have appeared strong indications, in the course of last year, of American interests being embarked under foreign flags in this traffic. The slave trade, however, which most deeply affects the character of America, is her internal slave trade, which, to the reproach of her free institutions, fills her southern provinces with atrocities paralleled only in the annals of Africa. We are happy to observe, that this slave trade, as well as the slavery which gives it birth, has begun widely and strongly to engage the American public, and that, after the example of England, anti-slavery societies are now forming throughout the Union, embracing not only the object of protecting free blacks and mulattoes from being kidnapped and re-enslaved, but that of the universal emancipation of the African race. It is, without doubt, a deep stain on the character of Great Britain, that any of her subjects, and especially of her public men, should subsist by the forced labour of slaves. But, in one or two of the middle states of America, some of the highest names in the annals of that nation actually derive their income from breeding slaves for the southern plantations, in the same way in which cattle and pigs are, in this country, reared for the market.

The time, it may be hoped, is fast approaching, when a better feeling will pervade every part of the world



pretending to Christian principle and to the light of civilization; and it is no slight encouragement to the cherishing of this hope, that a decree has recently appeared from the emperor of Austria, (remarkable both for the principles it asserts and the sanctions it imposes,) utterly abolishing slavery throughout the Austrian dominions.—“Every man,” says his Imperial Majesty, “by the right of nature, sanctioned by reason, must be considered as a free person. Every slave becomes free from the moment he touches the Austrian soil, or even an Austrian ship.” The free governments of Great Britain, America, and France, may learn a salutary lesson of justice and humanity from this monarch.

#### ARGUING IN A CIRCLE.

The bitterest reproach that can be uttered against the system of slavery, that it debases the man, that it enfeebles his powers, that it changes his character, that it expels all which is naturally good; this, its bitterest reproach, must be its protection. We are foiled by the very wickedness of the system. We are obliged to argue in a most vicious circle. We make the man worthless; and, because he is worthless, we retain him as a slave. We make him a brute, and then allege his brutality as a valid reason for withholding his rights.—*Buxton's Speech in the House of Commons, 1823.*

#### SLAVE TRADE.—A POKE.

Perish th' illiberal thought which would debase

The native genius of the sable race!

Perish the proud philosophy, which sought

To rob them of the pow'rs of equal thought!

Does then th' immortal principle within

Change with the casual colour of a skin?

Does matter govern spirit? or is mind

Degraded by the form to which 'tis join'd?

No: they have heads to think, and hearts to feel,

And souls to act, with firm, tho' erring zeal;

For they have keen affections, kind desires,

Love strong as death, and active patriot fires;

All the rude energy, the fervid flame,

Of high-soul'd passion, and ingenuous shame:

Strong, but luxuriant virtues boldly shoot

From the wild vigour of a savage root.

Now weak their sense of honour's proud control,

For pride is virtue in a Pagan soul;

A sense of worth, a conscience of desert,

A high, unbroken haughtiness of heart;

That self-same stuff which erst proud empires sway'd,

Of which the conquerors of the world were made.

Captious state of men! that very pride

In Afric scourg'd, in Rome was deify'd.

Where'er to Afric's shores I turn my eye,  
 Hordes of dejected, shuffling gait arise:  
 I see, by more than Slavery's marks shown,  
 The burning village, and the blinding town:  
 See the dire victims torn from social life,  
 The shrieking babe, the agonising wife,  
 The wretch farlorn! in dragg'd by hostile hands,  
 To distant tyrants sold, in distant lands!  
 Transmitted miseries, and oppressive chains,  
 The sale and heritage her child obtains!  
 Even this last wretched hour their flesh deary,  
 To weep together, or together die.  
 By fire's hand, by one relentless stroke,  
 See the fond links of feeling nature broke!  
 The slaves twisting round a parent's heart,  
 Torn from their grasp, and bleeding as they part.

Hold, murderers, hold! nor aggravate distress  
 Respect the passions you yourselves possess;  
 Er'st you, of ruthless heart, and ruthless hand,  
 Love your own offspring, love your native land:  
 Er'st you, with fond impatient feelings torn,  
 Th' free as air, th' certain of return.  
 Then, if to you, who voluntary roam,  
 So dear the memory of your distant home,  
 O think how obscure the lov'd secret endears  
 To him, whose food is groans, whose drink is tears;

Think on the wretch whose aggravated pains  
 To exile misery adds, to misery chains.  
 If warm your heart, to British feelings true,  
 As dear his land to him as yours to you;  
 And Liberty, in you a hallow'd flame,  
 Burns unextinguish'd in his breast the same.  
 Then leave him holy Freedom's cheering smile,  
 The heav'n-taught fondness for the parent soil;  
 Reverse affections mingled with our frame,  
 In every nature, every clime the same;  
 In all, these feelings equal sway maintain;  
 In all, the love of Home and Freedom reign:  
 And Tempe's vale, and parch'd Angola's sand,  
 One equal fondness of their sons command.  
 Th' unconquer'd Savage laughs at pain and toil,  
 Basking in Freedom's beams which gild his native soil.

Does thirst of empire, does desire of fame,  
 (For these are specious crimes,) our rage inflame?  
 No: sordid lust of gold their fate commands,  
 The basest appetite of basest souls;  
 Gold, better gain'd by what their ripening sky,  
 Their fertile fields, their arts, and mines supply.

What wrongs, what injuries does oppression plead,

To smooth the crime and sanctify the deed?

What strange offence, what aggravated sin?

They stand convicted—of a darker skin!

Barbarians, hold! th' opprobrious commerce spare,

Respect His sacred image which they bear.

Th' dark and savage, ignorant and blind,

They claim the common privilege of mankind;

Let malice strip them of each other plea,

They still are men, and men should still be free.

Insulted reason loathes th' inverted trade—

Loathes, as she views the human purchase made;

The outrage'd Goddess, with abhorrent eyes,

Sees Man the traffic, *Souls* the merchandise!

Man, whom fair Commerce taught with judging eye,

And liberal hand, to barter or to buy,

Indignant Nature blushes to behold,

Degraded Man himself, trunk'd, harter'd, sold;

Of ev'ry native privilege bereft,

Yet cur'd with ev'ry wounded feeling left.

Hard lot! each brutal suff'ring to sustain,

Yet keep the sense acute of human pain.

*Hannah More.*

\* Besides many valuable productions of the soil, cloths and carpets of exquisite manufacture are brought from the coast of Guineæ.

THE  
**African Observer.**

TENTH MONTH, 1827.

NEGRO SLAVERY.

*(Continued from page 168.)*

In the British West Indies, and the American slave-holding states, slaves are liable to punishment for numerous acts which are innocent in themselves, and for which white people are never punished; and for real offences, their punishments are generally more severe than those to which free whites are subjected for similar crimes.

There are few political axioms more clear and indisputable, than that allegiance and protection are the price of each other. That in proportion to the benefits conferred by the institutions of society, are our obligations to recognise and support those institutions.

However consistent with the maxims of despotic governments the existence of privileged orders and peculiar rights may be, the plain republican, whose political fabric is based on the natural equality of man, must always regard impartial justice, with her equal scales, as the presiding genius of his government. With him, the happiness of the people, not of a

privileged few, to the exclusion of the rest, is the primary object and aim of all legislation. Laws derive their proper efficiency from their intrinsic conformity to the principles of justice. Hence the acknowledged maxim of the common law, "An unjust law is no law." To extend the control beyond the protection of the civil authority, is an act of tyranny, rather than of just legislation. When the advantages of the social compact are withheld, little claim can be set up to individual obedience. If any part of the community are excluded from their proper share of legal protection, the right to punish the aggressions of these, must be proportionably diminished. Without adopting the conclusion of some politico philosophers, that slaves cannot be guilty of any crimes,\* we may fairly conclude,

\* To comprehend the force of this statement, we must recollect the distinction between *sins* and *crimes*. The former being the violation of our duty to the Supreme Benefactor, are no

that they owe much less than free men to the legal institutions of their country. In the proportion wherein their natural and inherent rights are abridged, is their obligation to respect the provisions of government impaired. And therefore if they were equally with the free man capable of comprehending the force of moral obligation, and equally competent to acquire a knowledge of the laws to which they were expected to conform, still a just and enlightened government, if it cannot break their shackles and restore them to their natural rights, might be expected to view with indulgence those deviations from rectitude, to which their condition so naturally inclines them; and that even their crimes should be visited with punishments less severe than those prescribed for their more favoured compatriots.

further punishable by human authority, than as they are directly or indirectly injurious to society. The latter, or offences against the community, may be termed violations of the social compact; and if the slaves are deprived of all the benefits of that compact, it is not easy to discover upon what principle they can be bound to observe its requirements. The slave, by his very condition, approximates to the character of an alien enemy, and may, therefore, without an outrage upon common sense, be adjudged free from the common obligations of a denizen or citizen of the state. If the slave is protected in life and limb, he may be bound, upon general principles, to respect the lives and limbs of others. To observe the institutions of society any further than he is himself protected by it; may be his moral or religious duty; and the violation of any moral law is unquestionably a *sin* in the slave, as well as the free man, which both are equally bound to avoid. Crimes are not quite the same things.

But when, to these considerations we subjoin the ignorance, unavoidably resulting from their condition, not only of the higher motives of morality and religion, but of nearly all the requisitions of law, the injustice of subjecting them to the same punishment, for similar crimes, with their more enlightened superiors, appears too obvious for illustration. Among free men, laws are always published, and thence presumed to be known, before their violation is punished. The tyrant who hung his laws too high to be read, and then punished their infraction, was hardly chargeable with greater injustice than those legislatures, however enlightened and humane in other respects, that punish their poor degraded slaves for the breach of laws, with which they are not, and cannot be, acquainted. In adopting a course of legislation for the government of slaves, in direct opposition to these general and self-evident principles, policy, rather than justice, has probably been consulted. The policy, however, may be reasonably doubted, if justice does not sanction the measure.

Though few can reason, all mankind can feel.

A few of the colonial laws bearing on this branch of the subject will be noticed. In the late act of Grenada, passed in 1825, swearing, committing *any indecent act in any place*, getting drunk, quarrelling, wilfully galloping, cantering, or trotting a horse, in the town of St. George, may be punished in a slave, with twenty-five lashes.\* In the same act, as well as in the laws of Jamaica, compassing or imagining

\* Progress of Colonial Reform, page 38.

the death of a white person, is punishable with death. In the latter island, the expression is indeed added, *and declare the same by some overt act.\** What overt act shall be construed as declaratory of a murderous design is apparently left to the judgment of the court.†

\* Stephen, p. 307.

† An instructive, though revolting comment, on the species of overt acts by which the design to effect the death of the whites, should be legally declared, is furnished by the report of the trial and execution of a number of slaves in the island of Jamaica, charged with a design to rise and murder the whites. This plot was brought to light near the end of 1823, a few months after the attention of the British parliament had been called, by Buxton's motion, to the subject of colonial reform. It is to be remembered that all interference, on the part of the mother country, with the question of West Indian slavery, is uniformly deprecated by predictions of insurrections, massacres, and conflagrations in the islands. An extensive plot among the slaves was, therefore, absolutely necessary at that particular period. To call for things that are not, and they come, though belonging exclusively to creative energy, may at least be attempted, and to a bewildered imagination, apparently effected by human agency. Just at the critical season, information was received from a boy, a negro slave, that the negroes were going to rise and murder the whites. Immediately the alarm was spread, all the suspected negroes were arrested, several of their houses were searched, but as no arms of any kind were found, it was sagely concluded that the negroes had taken the alarm, and that it would, therefore, be harassing themselves to no purpose to continue the search. The trials were hurried through, and eight negro slaves, condemned and executed in the parish of St. Mary's, upon the most loose and contradictory testimony of a few other slaves. The witnesses were rewarded for their im-

In the island of Jamaica the crime of perjury, or perhaps, of giving false testimony without oath, in the trial of a slave, is punished in a slave, with the same inflictions as the accused, if convicted, would be liable to suffer, and this by the terms of the act is not confined to evidence against the accused; but false testimony, if given in favour of the prisoner, subjects the witness to similar penalties.\* Hence it would appear, that a slave might suffer death for giving exculpatory evidence in a capital case, provided his anxiety to save the life of a fellow slave should betray him beyond the limits of veracity. The slaves in Jamaica are liable to be punished with thirty-nine lashes on the naked body, for the crime of preaching to, or teaching other slaves, as anabaptists or otherwise, and attending nightly or other private meetings.† In some of the islands, stealing "any quick or dead thing" of the value of twelve pence, current money; killing or destroying horses, cattle, sheep, or other things of the value of six shillings; or

portant disclosures, by their freedom. Whether this was promised before the testimony was given is not quite clear. As a sequel to this transaction, one or two other plots were manufactured out of some idle rumours of the day; one of which cost the lives of three of the slaves; though the witnesses upon whose unsupported testimony they were condemned, were almost immediately sent off the island as desperadoes, who could not be safely permitted to go at large. Vide the picture of negro slavery, drawn by the colonists themselves, London, 1825.

\* Ed. Hist. West Indies, Vol. 2, p. 177.

† Stephen, 303. The object of this provision appears to have been to obstruct the progress of the missionaries. The act bears date in 1816.

uttering any words *tending* to mutiny or insurrection, subjects a slave to the punishment of death, and immediate execution is ordered.\* The attempt to commit, as well as the actual commission of crimes, is frequently punished with death by the insular statutes, but only when the offenders are slaves.

In those parts of the United States where slavery is extensively prevalent, the difference in the penal laws as applied to slaves and persons of colour, and as applied to whites, is very remarkable. The progress which any people have made in civilization is, perhaps, most correctly estimated by the character of their laws, and particularly by the severity or mildness of their penal code. The progress of our sister republics of the south, estimated upon this principle, would appear very different according as the standard used was a black or a white one.

By the existing laws of Virginia, any slave who shall go from the tenements of his master, without a pass or written document, expressive of the consent of his master or overseer, is liable to be taken up, by any person whatever, and carried before a justice of the peace, to be by him punished with stripes or not, at his discretion. And any slave presuming to come or be on the plantation of any other person whatever, without leave in writing from his owner or overseer, not being sent upon lawful business, may

be lawfully punished with ten lashes on the bare back, by order of the owner or overseer of such plantation.\* These provisions have been copied verbatim by the legislatures of Missouri† and Kentucky‡. Laws nearly similar in principle though differing in form, prevail in South Carolina and Georgia.

In Virginia we find the following provision: no negro or mulatto slave whatever, shall keep or carry any gun, powder, shot, club, or other weapon whatsoever, offensive or defensive, but every gun, &c. found in the possession of any negro or mulatto, may be seized by any person, and upon due proof before a justice of the peace, shall be forfeited to the use of the seizer; and every such offender shall be punished, by order of the justice, with any number of lashes not exceeding thirty-nine, on the bare back, for every such offence. An exception is made in favour of slaves on frontier plantations, a licence being allowed them, from a justice of the peace, granted at the request of the master.§ Free negroes and mulattoes are subjected to nearly similar restrictions in regard to the possession of weapons of offence, except that no corporal punishment is awarded, unless for a second offence.

The Laws of Kentucky,|| North Carolina,¶ Tennessee and Missouri,\*\* contain provisions of nearly similar import. In the last of these states free negroes and mulattoes, keeping guns,

\* Stephen, p. 304. It is asserted that in Jamaica a slave cannot be executed, except by authority of the governor's warrant, except in case of rebellion. Whether the same provision has been extended to any other island does not appear.

\* 1 Revised Code, p. 423.

† Laws of Missouri, p. 741.

‡ Littell and Swift, p. 1160.

§ 1 Revised Code, p. 423.

|| Littell and Swift, p. 1150.

¶ Haywood, p. 521.

\*\* Laws, p. 741.

&c. without license, are punishable in the same manner as slaves.

More than seven men slaves, without a white person with them, travelling or assembled together in any high road, may in some of the states, be apprehended by any person, and whipped, not exceeding twenty lashes each.\* A slave travelling by himself from his master's land to any other place, unless by the most usual road, may be lawfully punished by the owner of the land where he shall be found, with forty lashes.† A like punishment is awarded for travelling in the night without a pass, or for being found in the negro quarters or kitchen of another. And every negro in whose company such vagrant slave shall be found, is liable to a punishment of twenty lashes. For hunting with dogs, in the woods even of the master, the slave is punishable with thirty lashes.‡

These instances compose a part, and only a part, of the punitive powers with which the laws of our slave-holding states have armed the white population, in addition to the comprehensive authority of the master over their poor crouching dependants. These offences we may observe, are all the creation of law, and such as involve no moral turpitude. None but slaves would be adjudged delinquents for similar actions.

It is, doubtless, supposed by the legislatures of the slave-holding states, that such enactments are necessary for the preservation of the white population. Wanton and needless cruelty is not to be lightly charged upon

the authorities of our sister republics. But if such is the nature of slavery, that the system can be maintained by no milder means than these barbarous enactments, what more cogent argument against the system, can possibly be urged by the most strenuous abolitionist, than this direful necessity? If a system is liable to no other objection than the necessity it imposes to tolerate a course of legislation at which justice and humanity revolt; and which can only be maintained at the expense of all the finer feelings of the human heart, that necessity presents an imperious demand for a speedy change. A careful and dispassionate inquiry, whether even the system of slavery could not safely dispense with some of these revolting provisions, might probably furnish our southern brethren with a profitable employment for a portion of their time. Whatever difference of opinion may exist on other points, we must all agree that it is the duty of masters to allow to their sable dependants as large a share of the rights of humanity and of the enjoyments of life, as can be done consistently with their own safety.

There is one species of offence, which, to a mind that has been nurtured in the lap of slavery, may appear sufficiently odious, but which, in the view of one that has always breathed the atmosphere of freedom, can hardly be identified with crime. The reader need hardly be told that I allude to elopement.\* For this of-

\* 2 Brev. Dig. p. 243. Prince's Dig. p. 454. Del. Laws, p. 104.

† Haywood, p. 518. ‡ Ibid, p. 524.

\* If the reader should infer from this passage, that the writer would encourage slaves to leave, in a clandestine manner, the service of their masters, he would be much deceived. He could heartily wish that elopements

fence the punitive powers of the master might be supposed amply sufficient. In North Carolina a slave may be outlawed for running away and lurking in swamps, &c. and any person may lawfully kill such outlawed slave.\* A similar law formerly prevailed in Virginia, but in 1792, was expunged from their code.†

In South Carolina, a slave endeavouring to entice another slave to run away and leave the state, if provisions, arms, ammunition, horse, boat, canoe, or other vessel have been prepared to aid such elopement, is, by law, punishable with death;‡ and a slave who

were much less frequent than they are, and that till the way shall open for the peaceful extinction of slavery, the load might be patiently borne; yet if freedom is the natural birthright of man, it is difficult to discover the criminality under ordinary circumstances of its simple resumption.

\* Haywood, p. 521—2.

† Judge Tucker, an inhabitant, and I believe, a native of Virginia, remarks upon this law, "such are the cruelties to which a state of slavery gives birth, such the horrors to which the human mind is capable of being reconciled by its adoption." App. to Black. Com.

‡ The enactments on this subject exhibit a curious instance of the contest of policy and humanity. The first act of 1740, made the attempt to entice a slave to run away and leave the province, punishable with death. The legislature of 1751, after referring to this act, and pronouncing the punishment too great for the nature of the offence, declared, not that a punishment less severe should be inflicted, but that that part of the act should not take effect unless such slave shall have actually prepared provisions, &c. whereby the intention shall be manifested. Thus changing the evidence, but not the nature of the offence; unless we suppose it meant that the provisions must be stolen, which from the terms of the act, would not appear to be essential.

shall aid and abet the slave so endeavouring to entice another slave to run away, is also liable to a like punishment.\* In South Carolina and Georgia, a slave who shall harbour, conceal, or entertain another slave, being a runaway, is liable to corporal punishment to any extent not affecting life or limb.† In Maryland the penalty for harbouring a runaway slave one hour, is thirty-nine lashes.‡ A law of the state of Mississippi, found among those of the session of 1824, appears capable of being made the instrument of very unwarrantable cruelty. "When any slave or slaves shall be committed to any jail in this state, as a runaway or runaways, it shall be the duty of the jailer of said county to interrogate him, her, or them, as to his, her, or their owner or owners' name or names, and place of residence, and the accounts thus received, together with a description of the slave or slaves, the jailer shall forthwith transmit by mail, to the owner or owners named by the slave; and if the statement made by such slave or slaves shall prove to be false, it shall be the duty of the jailer, without delay, to give the said slave or each of them, twenty-five lashes, well laid on, and interrogate him, her, or them anew, and transmit the intelligence obtained, together with a description as aforesaid, to the owner or owners again named, and whip as before directed if a second false account is given; and and so on for the space of six months, it shall be the duty of the jailer alternately to interrogate and whip as aforesaid, whenever the slave or slaves

\* 2 Brevard, p. 233, 244.

† 2 Brevard, p. 237. Prince, p. 452.

‡ Maryland Laws, 1748.

may give a false account of his, her, or their owner or owners' name and place of residence."

It is obvious, that if the jailers, to whom this power is delegated without the aid of counsel, and without express responsibility, were usually selected from among the most humane and discerning of the citizens, there would be sufficient danger of abuse. The ignorance of the slaves, respecting many of the particulars of which they are required to give an account; the possibility that statements, if correctly given, may be misunderstood; the difficulty of transmission by post in a country recently and imperfectly settled; the impracticability of distinguishing between real and pretended ignorance, and between stupidity and perverseness, must impose on the jailer, however patient and sagacious, a task not easily executed with fidelity to his trust, and humanity to the slave. But the nature of the employment, and the qualities requisite for its performance are not likely to enlist very generally those citizens who are distinguished for the milder virtues, or to preserve unimpaired the finer feelings which they may at first possess. If such law should be often executed, the officer and the victim must unavoidably suffer a sad deterioration of the proper qualities of man. Cruelty frequently exercised, though with reluctance and pain, must blunt the sensibilities of our nature, and render its further infliction easy and natural. A Roman assembly could behold with delight the murderous exhibitions of gladiators, a sight from which the eye unaccustomed to scenes of horror could not fail to turn with abhorrence. And probably there is nothing which is

more completely calculated to render man reckless of punishment and crime, than the repeated suffering of unjust and cruel chastisements. The law before us is designed, and in terms confined to fugitive *slaves*; but may not the inflictions authorised by it sometimes fall upon the strange and unknown free coloured person?

In Georgia, if any free person of colour commits the offence of inveigling or enticing a slave to quit the service of his owner, or to leave the state, such offender is liable on conviction, to be sentenced to one year's confinement in the penitentiary at hard labour, and at the expiration of the year, to be sold to the highest bidder, as a slave for life.\* In South Carolina, a law of 1740, not expressly repealed since, subjects a free negro, mulatto, or mustee, who shall be convicted of harbouring, concealing, or entertaining a fugitive slave, to a penalty of £10 for the first day, and 20 shillings for each subsequent day to the use of the owner of such fugitive; and in case the offender shall not pay the forfeiture with the costs of prosecution, he is to be sold, and the proceeds of the sale applied to the payment of the forfeiture and costs, and the remainder, not to the use, or to provide towards a fund for the eventual redemption of the person sold—but to the public treasury.† By an act of 1821, a free person of colour, convicted of the above mentioned offence, before two justices of the peace and five freeholders, is subjected to such corporal punishment, not extending to life or limb, as the said justices and

\* Prince's Digest, p. 461, laws of 1816.

† 2 Brevard's Digest, 237.



freeholders shall think fit.\* Whether this act *virtually* repeals the law of 1740, or whether they have concurrent authority, is a question upon which the learned in the law may decide. We find, however, by the southern papers, that the older law has been very recently enforced.† A

\* Act of 1821, sect. 20.

† A trial of much interest took place on Saturday last at the City Hall, before a court, composed of John Michel, Esq. justice of the Quorum, and two freeholders. The parties put upon their trial, were Hannah Elliott, a free black woman, together with her daughter Judy, and her sons Simon and Sam. They were severally indicted under the act of 1740, for harbouring, concealing, and entertaining two female children, slaves, aged about 6 and 9 years, the property of a lady of this city, the extraordinary concealment and discovery of which was mentioned a short time since.

After a patient investigation of all the circumstances of the case, the prisoners having the aid of able counsel, the court found them all guilty, and sentenced them, in accordance with the provisions of the aforesaid act, as follows: Hannah Elliott, with having harboured these slaves, for the term of two years, and her children, with having harboured them respectively, for sixteen months each. The penalty under the act, is a forfeiture of *ten pounds* currency for the first day, and *twenty shillings* currency for every day after, to the use of the owner of any slave so harboured, concealed or entertained. The act also provides that in case the forfeiture cannot be levied on such free negro, together with the charges attending the prosecution, the parties must be sold, at public outcry, and the money arising from such sale, be applied in the first place, towards the forfeiture due to the owner, &c. and the overplus, if any, be paid into the public treasury.

Charles. Cour.

By a subsequent article it appears these individuals were actually sold

white person, committing this offence, is liable to a penalty, sufficiently severe to answer the purposes of justice, but essentially different from that of a coloured person.

In illustration of the proposition as relates to the punishments awarded to acknowledged crimes, the provisions of a few of the states will be particularly noticed. The code of Virginia, having been recently revised, and that state being generally allowed to have furnished its full share of brilliant characters, the selection of this code cannot be reasonably considered as invidious. In that state, murder in the *first degree*, arson at common law, wilfully setting fire to a house in a *town*, or aiding, &c. herein, are severally punishable with death, whatever the colour or condition of the offender may be.\* But a slave is punishable for, 1st, Murder in the second degree with death,† and a free white man with imprisonment at hard labour, for not less than five, nor more than eighteen years.‡ 2d, Being accessory to arson, with death; but the free white man with imprisonment for not less than ten, nor more than twenty-one years.§ 3d, Wilfully setting fire to a barn, a stable, corn house, or other house; to any stack of wheat, barley, oats or other grain, hay, straw, or fodder, or advising or assisting in the perpetration of either of these crimes,

into slavery. And thus in the year 1827, a number of free persons were converted into slaves. The crime of which they were convicted is by this process caused to work corruption of blood of a more oppressive character, than any European attainder can effect.

\* Revised Code, pp. 616 and 587.

† Ibid, 427. ‡ 1 R. C. 617.

§ 1 R. C. 587.

with death, in some cases within, and in others without benefit of clergy, but the white man by payment of the property destroyed, and imprisonment, not less than two, nor more than five years. 4th, Feloniously breaking, either during the day or night, into any store or warehouse, and taking thence money, goods, &c. to the value of four dollars, or aiding therein, with death; but the white man with imprisonment for not less than one, nor more than ten years.\* 5th, Stealing hogs, *third* offence, with death; but the white man with imprisonment not less than five, nor more than ten years.† 6th, Embezzling a record of court, with death; but the white man with imprisonment for not less than one, nor more than ten years.‡ 7th, Horse stealing, with death; the white with requisition to restore the property, and imprisonment from five to ten years.§ 8th, Harboursing or concealing a horse-thief, with knowledge of the theft, with death; the white man with imprisonment from six months to four years.|| 9th, Counterfeiting, or assisting to counterfeit any coin, or the note of a chartered bank, punished in slaves and free whites respectively, as number 2.¶ A

\* 1 R. C. p. 588.

† Ibid, pp. 574, 617—18.

‡ Ibid, p. 572.

§ Ibid, pp. 512, 575.

|| Ibid, pp. 573—6.

¶ Ibid, pp. 581, 578. It is difficult to perceive upon what principle either of justice or policy, this crime can be punished more severely in a slave than in a freeman. The slave can scarcely under any circumstances, be capable of acting any other than a secondary and subordinate part, in the commission of this crime. The operation of this law, if it ever reaches the slave, must, therefore, be to send

number of other crimes are specified in the same code, and made punishable with death, when committed by a slave, but with imprisonment at hard labour, for various terms, from one to twenty-one years, when free whites are the offenders.

In the new state of Mississippi, the code of which has also been lately revised, the difference of punishment according to the condition of the criminal, is still more striking and obvious. Several crimes of the highest grades are punished with death, whether the criminals are black or white, free or bond. Of these murder, robbery, arson, burglary, forgery; and being accessory before the fact to these crimes, are the principal. But we have a long catalogue of crimes for which the slave may be condemned to the halter, and the free white man discharged with impunity or subject to penalties of a much lower grade. Of these the following may be noted, in each of which, the slave is punishable with death, but the free white man as below. Wilfully burning a barn or stable, imprisonment not exceeding six months, and paying damages. Attempting to commit murder, robbery or burglary, fine at the discretion of the court, and imprisonment not exceeding one year, and exaction of surety to keep the peace. Attempting to burn a dwelling house or store, or a cotton-house or other building adjoining to a dwelling house or store; attempting to commit forgery, or horse stealing, second offence; being accessory before the fact to forgery; to stealing a freeman or slave, or to the burning of

the principal to the penitentiary and the assistant to the gibbet.

a barn or stable; being accessory after the fact to murder, robbery, burglary, forgery, horse stealing, second offence, to the burning of a dwelling house, store, cotton-house, out-house, barn or stable; not *crimes* either by the common law or by statute. To this catalogue might have been subjoined several other crimes for which the slave is subjected to the punishment of death, and the white man either wholly exempted or punished much less severely.\*

After contemplating these sanguinary provisions, which would appear to have been written with the bloody pen of the Athenian Draco, it is a relief to find the codes of other states marked with milder characters. In Tennessee, only *five* capital offences are retained in the last revision of their slave codes.† In Missouri, the laws relating to the punishment of slaves, are generally humane. There are six crimes which, when the offenders are slaves, are capital; for some of which white persons are punishable by imprisonment only.‡ An ample discretionary power, with regard to the infliction of stripes upon servile offenders, is granted to the courts, by one of the latest enactments. In Kentucky, the capital crimes of the whites are limited to *four*,§ those of the slaves to *eleven*.|| In South Carolina, there are twenty-seven crimes for which whites are liable to suffer death; slaves incur a like punishment for no less than thirty-six. In Georgia, whites are capitally punished for three

different offences; slaves for no less than nine.

These comparisons might easily be extended to other states of the union, but these specimens of relative justice will probably suffice to satisfy, if not to satiate the curiosity of the reader.

#### SLAVE TRADE.

The following interesting communication is from a Naval Officer of rank, employed on the coast of Africa:—

*Bight of Biafra, April 10, 1827.*

Yesterday afternoon, after having sent some of my boats into the Calabar River, where I had reason to believe a slaver was on the point of sailing, with a full cargo, a vessel was seen from the royal yard, standing through between Fernando Po and the Main Land. Aware she could be nothing but a slaver, I made sail in chase, and though then sun set, I shaped a course, so as to cut her off in the night. At one in the morning, we got sight of her, under a press of sail—but to no effect, for Old Nick himself will not escape this darling ship in light winds. It, however, fell calm when we were about four or five miles from her, and I directed the boats well manned and armed, to attack her.—Thank God, no resistance was made, and at two o'clock one of the boats returned, to acquaint me of the capture of the *Creola*, a Brazilian brig, with a cargo of three hundred and nine slaves!

The purport of this letter, my good friend, is not to take up your time with a perusal of my captures, but to make your feeling heart (if possible) more alive than it is to the miseries I have observed in this slaver, and the torture the unoffending creatures are put to, in cold blood, by these execrable villains, the Portuguese. In the morning I went on board, to see and be a witness to the state the slaves were in. Now, you will bear in mind this vessel is only 85½ tons; that near one hundred men were in chains below, and those chains so rivetted as to take my people a whole forenoon to let the poor creatures

\* Revised Code, p. 381.

† Act of November 8, 1819, chap. 35.

‡ 1 Ms. Laws, p. 312.

§ 2 Littel & Swift, pp. 1006—1009.

|| Ibid, pp. 1160—1—4.

breathe the air aloft. The women and girls were (horrid to relate) branded with an iron, at least one inch in length, with the letter B; and several of these marks must have been done even since they were at sea (but two days,) as several of the young females were weeping from the pain they still suffered; and I was a melancholy witness to the marks, all of them being a sore, and most of them festering, and this, too, not one inch above the breast. The men were marked with the same letter B, but on the arm.

As you are ever on the move in the higher circles, do make this cruelty known, that, if possible, these monsters of wanton depravity may be punished. It is too bad, that after the immense sums of money given to that rascally Portuguese Government, to suppress the slave trade, that such enormities should still be suffered. I frightened the beast of a master out of his wits, by getting a red hot iron and putting it close to his cheek; and I verily believe it will have a good effect. I would have given my ears if I could have branded the villain on his forehead or cheek.

Do my good friend, speak of it to all and every body you think proper; for it is heart-rending to see such cruelty so barbarously inflicted, by those dealers in the human flesh.

This last capture makes no less than two thousand four hundred and ninety-seven slaves taken and emancipated by this ship alone. The Calabar, and Cameroons Rivers are now perfectly empty.—In the former there is but one vessel, and she is French; and in the latter, none whatever. I hope, therefore, they have felt the last order of our Government, to seize those with slave cargoes on board north of the Line; and that the slave trade, if not stopped, has lately received a severe check. I am off Sierra Leone in a day or two, in hopes of meeting—, as the thunder and lightning in the vicinity of these rivers, and the immense mountains, has for the last week been terrific. The rainy season is almost beginning, which alone is sufficient to drive one out of these sad Bights. In addition to the *Creola*, I have sent up for

adjudication this last month no less than seven vessels, all laden with slave cargoes, and it has almost cleared the Bights.

*Sierra Leone, May 22, 1827.*

Here I am again in this pestilential hole, and which is (if possible) worse than ever. By the *Orestes* transport, which came here on her way to Cape Coast and Ascension, there came out two supernumerary surgeons and two assistants for the squadron; and in the same vessel were two assistant-surgeons for the army. Scarcely had these poor creatures been on shore to see even their quarters, when they were taken ill, and in one short month they were both consigned to the silent tomb. An interesting, amiable and very beautiful young woman, the wife of the Colonial Secretary, and only ten months a wife, was, in the midst of her happiness the other day, seized with a fever, and died in a few days. Afraid of the climate or rather the rainy months of June, July, August, and September, she was to have come home with me, and to have returned again in October. But alas! she is gone for ever, and her husband is almost heart-broken. Sixty of the white troops are in the hospital, with fever and dysentery, and an officer—a young cadet—died a short time since.

To enable the reader to form a faint idea, for alas, description can give nothing but a faint one, of the horrors of the situation in which these miserable victims of cruelty and avarice were placed, a few facts may be submitted to his attention. In the year 1788 the British Parliament passed an act, usually termed Sir. W. Dolbin's bill, for apportioning to the tonnage of the vessels, the number of slaves they should be permitted to carry.

The act allowed five men for every three tons in every ship under one hundred and fifty tons burthen, having the space of five feet between the decks; and three men to two tons of

every vessel beyond one hundred and fifty tons burthen, which had equal accommodation in point of height between the decks.\*

In the following year, the committee on the slave trade in London published a plate exhibiting a view of the ship *Brookes*, loaded with slaves, stowed according to the following dimensions: Every man was allowed a space of six feet in length and one foot four inches in breadth; each woman five feet ten inches by one foot four inches; each boy five feet by one foot two inches; and each girl four feet six inches by one foot. The whole number, which the vessel would contain, without encroaching on these limits, was found to be 451; but by computation the number admitted by Sir W. Dolbin's bill was 454. This plate furnishes a picture of human misery seldom to be met with in real life. The bodies are there seen so closely packed as scarcely to leave room for a person to walk among them. In a sultry climate, where, in consequence of rough weather or other causes the slaves are compelled to remain during a large part of the 24 hours in these pestilential holds, disease and death must soon make frightful havock on their crowded ranks. The plate was inserted in the second volume of Clarkson's *History of the Abolition of the Slave Trade*, in the 'Cries of Africa to the Europeans,' and several other minor productions. Let now any one after contemplating this assemblage of human wretchedness, even under these regulations, imagine if possible the condition of a cargo of human beings

restricted to less than half the space allowed by this regulating bill. According to W. Dolbin's bill the vessel reported in the forgoing extract would have carried only 142 full grown slaves. From the manner in which the men were confined we can hardly suppose they were designed to enjoy very frequently, if at all, during their voyage, the luxury of uncontaminated air. Surely avarice is sometimes blinded by its own dust.

#### IMPORTANT DECISION.

*Extract of a letter from a gentleman in Illinois to his friend in Philadelphia, dated August 23, 1837.*

"A late judicial decision of the Supreme Court of Missouri has afforded me infinite pleasure, the more so as I have long had the object very much at heart, and been exceedingly anxious to see it effected.

"I had always been of opinion that the ordinance of Congress of 1787 had emancipated the slaves in the territory North West of the Ohio. But as the people of this State have acquiesced in a contrary decision of an inferior court near 40 years, I had repeatedly urged on the Legislature to make provision for the gradual but speedy emancipation of this remnant of servitude, and had laboured to convince the masters that it was their interest to have such a law adopted, as it would have the effect of lulling the negroes for a time, and preventing their taking the question to the highest Courts of Justice, which must decide in favour of the negroes, and give them instant freedom. One of these unfortunate negroes\* having been removed from this state to Missouri, and there having been treated with cruelty, and finally transported and sold in Louisiana, found his way

\* Clarkson's *History of the Abolition of the Slave Trade*, Vol. I. page 432.

\* Of this description of negroes there are many hundreds in Missouri, and still a greater number in Illinois, and I am sorry to add they are now running them off and selling them in the lower country.

back to St. Louis, and there instituted a suit for his freedom under the ordinance of 1787. The Circuit Court having decided against him, he took his case to the supreme Court, where although two out of the three Judges were advocates of slavery, the decision was reversed and it was *unanimously* decided that he was a freeman. This decision has produced considerable excitement in this state, and it is said there have been several suits instituted by the negroes to recover their liberty—and I cannot for a moment doubt but what our Supreme Court will concur in the decision made in Missouri. If so this foul blot will be immediately washed out, and the friends of man will have a new cause to felicitate themselves on the progress of correct principles, and on the restoration of his long lost rights."

#### SCRIPTURAL RESEARCHES ON SLAVERY.

The subjoined essay was communicated by the author to the editor of this journal. The author is, I believe, a native of Virginia; at least, a large portion of his life was spent in that state. The essay partakes rather more of the theological character, than is quite compatible with the general design of this Journal. The sentiments and modes of expression remind us of their clerical origin. But if the justness of slavery on scripture grounds can be admitted into the debates of Congress, surely the question may be met on the same grounds in a journal like this.

An opinion prevails, not only with slave holders, but many others, that however inconsistent slavery may be with the principles laid down in the Declaration of Independence, that "liberty is an unalienable right," and however at variance with our free institutions, yet that it is not contrary to scripture, nor inconsistent with the spirit of the gospel. The Patriarchs, say they, had servants; the Mosaic law permitted having servants;

the New Testament speaks of servants, and commands them to be obedient; therefore slavery is not wrong. Some even find its justification in the prophecy of Noah, that Canaan should be servant of servants to his brethren.

I once thought and reasoned much in the same way respecting slavery: but a careful examination of the matter, has fully satisfied me of its fallacy, and given me a deep conviction that Scripture fairly interpreted, has nothing that justifies it; that the spirit both of the Old and New Testament, is clearly against it. In proof of this, the following remarks are offered on the Scriptures supposed to justify it, and on the subject generally.

The prediction of Noah (Gen. ix. 25) that Canaan should be a servant of servants to his brethren, is applied by some to African Slavery, and what is more strange, is by some referred to as justifying it. I have more than once heard preachers in their sermons, apply said prophecy to Negro Slavery; and that in a way that seemed to take it for granted, that there was nothing wrong in it inasmuch as it was foretold. The impression made by their manner of treating it agreed with that of a short address to Negroes, with which a preacher of the old school is said to have closed his sermon: "And you black Negers, you dirty, lazy cratures, you wont do your master's work, without the rod. Ye are the cursed race of Ham. The Lord hates you and so do I."

Now we need but look at the prediction, to see that it relates to Canaan only, and not to the rest of the sons of Ham. The criticism that attempts to apply it to Ham's sons generally, for the sake of including the Africans, we think deserves very little credit. It has much the appearance of an attempt to fit a prediction to a particular case. We learn from the next chapter (Gen. x. 15—20) that the sons of Canaan settled, in what from them, was called Canaan. This was the country afterwards promised to the seed of Abraham, (Gen. xv. 7) and these were the people that Israel, just come out of bondage were commanded to destroy (Deut. ix. 4) and whom they did subdue and drive out.

(Joshua xi. 23, xii. 8, Acts vii. 45.) The special command of God which was often repeated, is the justification of Israel in their destroying that people. It was the execution of vengeance at God's special command, on a people, who in the judgment of God, had filled up the measure of their iniquity (Gen. xv. 16, Deut. xviii. 25.) It was as much a special judgment of God on the Canaanites for their sins, as the waters of Noah, and the fires of Sodom, were on those they were sent to destroy. And there would be just as much reason in inferring from the flood and from the fires of Sodom, that we might drown or burn the Africans, as from the destruction of the Canaanites, that we may enslave them.

And suppose the prophecy of Noah did relate to African slavery, it is a monstrous inference that the prophecy justifies it. The greatest crimes ever committed, have been foretold. The slavery of Israel in Egypt (Gen. xv. 13,) the idolatry of Israel (Deut. xxxi. 29,) the rejection and cutting off of the Messiah (Isaiah liii. Daniel ix. 26,) the persecution of the followers of Christ (John xvi. 2,) the great apostacy in the church (2 Thess. ii. 4—12, 1 Tim. iv. 1—3,) with a thousand things of like nature. A more monstrous principle never was adopted, than that a thing may lawfully be done, because foretold. Were it then a fact, (which we believe cannot be proved) that Noah did foretell Negro Slavery, it does not go one *hair breadth* to justify it.

The inference in justification of slavery, drawn from the fact that the patriarchs had servants, is nearly as erroneous. It is not only without proof, but against it, that they practised slavery, like Negro slavery.

The terms rendered servants, and used to express those under the authority of the patriarchs, are used throughout the Scriptures to express subjects under their rulers and kings. The servants of Abimelech (Gen. xx. 8,) of Pharaoh (Gen. xli 37,) of Saul (1 Samuel xix. 1,) of David (2 Sam. xviii. 9,) of Rehoboam (1 Kings xii. 7,) with thousands of other cases are expressed by the same words. If these were all slaves; then all the Philistines,

and Egyptians, and Israelites, under the kings whom they elected to govern them, were slaves, which is absurd.

That the patriarchs were as to other governments independent princes, and as such governed those under them, is very evident; but that they held those under them as absolute property—as slaves, I think no man can prove. They are called the Lord's anointed (Chro. xvi. 22.) Abraham was a great prince (Gen. xxiii. 6.) Isaac was more mighty than Abimelech (Gen. xxvi. 16.) They formed alliances (Gen. xiv. 13, xxxvi. 28, xxxi. 44,) made war (Gen. xiv. 15, xxvi. 20, xlviii. 22,) and performed all acts of sovereignty, to that of life and death (Gen. xxxi. 32, xxxviii. 24.)

Those called their servants, were their subjects in peace and their soldiers in war; they were so numerous that the patriarchs could not have held them forcibly in such slavery as Negroes are in. We find Abraham, about one hundred years before his death, engaged in warfare at the head of between three and four hundred of his servants, who were trained to arms; we find Esau afterwards at the head of four hundred. What man at the head of one, two, or three thousand persons, settled to themselves, as an independent colony, surrounded by others, with whom he had frequent wars, could keep the whole in slavery? How could 3, 4 or 5 hundred men, trained to arms, be held with their wives and children as absolute property and be compelled to serve without wages by one individual? The thing is absurd. What slave-holder would be willing to see slaves, when they are not more numerous than their masters, furnished with arms and trained to the use of them?

But supposing the patriarchs had slaves, it does not follow that it was right. Most of them practised polygamy and concubinage. Would the example justify us? I trow not. They may ignorantly, without much sin, have done things, which if we, under the light of the Gospel do; and continue so to do, will greatly endanger our salvation, see (Deut. xxiv. 1—4. Mat. xix. 3—9, 1 Cor. vi. 9.)



The rule of loving our neighbour as ourselves (Luke x. 27—37) and doing in all things to others as we would be done by (Matt. vii. 12) was not made plain to the patriarchs, and enjoined on them as they are on us. The man who in disregard of these commands does what they forbid, and rests his justification on the fact that possibly the patriarchs, who knew not of the prohibition did the same thing, will have a fearful reckoning hereafter. To do a thing not knowing it to be forbidden, and to do it knowing it to be forbidden, and in the face of the prohibition, is far from being the same thing.

The appeal made in justification of slavery, to the servitude permitted by the law of Moses, we think as much out of place as the preceding arguments. Were we called on to name the point, on which we supposed the teaching of the Old Testament, and the spirit of the Mosaic law, was most misunderstood, we would say servitude or slavery. To a very great extent it has been, and still is considered as allowing slavery; whereas we are greatly mistaken, if its spirit be not clearly against it: and such are its provisions that if fairly enforced nothing that deserves the name of slavery would have been practised under it. Without entering into all the details of the proof, we will notice some leading points.

Every reader must see that there is an almost constant reference in the law of Moses, to the slavery which Israel suffered in Egypt, and from which they were just delivered. It is called "affliction," and "oppression," "cruel and hard bondage." (Exo. i. 11—14, Deut. xxvi. 6—7.) God is said to have seen their affliction, and heard their cry, and came down to deliver them (Exo. ii. 23—5, iii. 7, 8. Deut. xxvi. 7.) He sent plague after plague upon Egypt, until it was almost destroyed (Exo. x. 7,) their first born of man and beast cut off, (Exo. xii. 29,) and Pharaoh and his hosts overwhelmed in the sea, (Exo. xiv. 27, 8.) And as Israel had been compelled to serve without wages, God commanded them to demand of the Egyptians, (so the word *Shael*, means here) gold, silver and raiment, and take with them as a

compensation for their labour. (Exo. iii. 21, 22. xii. 35.)

The waters of the flood was not a more manifest token of God's hatred of violence and corruption (Gen. vi. 11, 12,) nor the fires of Sodom, of God's hatred of the sin of "going after strange flesh" (Judges 7,) than the judgments on Egypt, are of God's hatred of oppression and slavery. And where the former are once referred to in Scripture, as an example, the latter is I think twenty times. It is referred to again and again as a reason why Israel should not deal with others, as the Egyptians dealt with them. "Thou shalt neither vex a stranger nor oppress him, for ye were strangers in the land of Egypt." (Exo. xxii. 21.) "Thou shalt not oppress a stranger, for ye know the heart of a stranger, seeing ye were strangers in the land of Egypt." (Exo. xxiii. 9.) The same terms are used, to express what they must not do to others, that were used to express what the Egyptians did to them. Their slavery is called affliction and oppression; and they are charged not to afflict or oppress others. They are reminded of their own bitterness of spirit while in slavery, (comp. Exo. xxiii. 9, with Exo. vi. 9 and Deut. x. 19,) and directed to make their own feeling of its bitterness the measure of their conduct towards others. Their whole experience of the galling nature of being forcibly held in slavery, and compelled to serve without wages, is made to bear against their enslaving others. God declared he had delivered them from being bondmen, and had broken their yoke, (Levit. xxvi. 13,) and by his prophet speaking according to the spirit of his law, reminds them that what he required was that they should "loose the bands of wickedness, undo the heavy burdens, and to let the oppressed go free, and break every yoke." (Isa. lviii. 6.)

Now unless we go upon the principle, that the Mosaic code is palpably at variance with itself, and builds up with one hand, what it pulls down with the other, we must, as it appears to me, admit that *its spirit* is against slavery.

But it will be said, Does not the Mosaic law speak of servitude, and con-



tain various precepts respecting it? I admit that it does. But there is not one passage, unless I am greatly mistaken, that cannot be explained in perfect consistency with that manifest condemnation of slavery, by the judgments on Egypt and the appeals to them as noticed above.

The Mosaic laws, as it appears to me, contemplates servitude or slavery in two points of light. First as a punishment for some kinds of crimes; and secondly, as a practice contrary to the spirit of the law, into which Israel might possibly fall.

The first, the *only case* in which the law can be said to approve of slavery, never took place according to the law, but for crime, and after a regular trial and conviction. Such was the punishment for theft (Exo. xxii. 3,) when the criminal was not able to make restitution. This, although a selling into servitude, was not properly slavery, it was nothing like Negro slavery. It could not exceed six years, and might be much less, according to the degree of crime. It was like the sales of English convicts formerly, and vagrants now under the vagrant law in some parts of the United States at present.

In case of persons selling themselves or members of their families, or being sold for debt, (Levit. xxv. 39, xlii. 47,) so far as the result of idleness, extravagance or bad management, (which often deserves some chastisement) may have been permitted, in part as a punishment; but so far as produced by misfortune or the hard dealings of others towards them, either in withholding those charities which the law enjoined, or exacting from them debts which they could not pay, was clearly against the spirit of the law. It could seldom if ever occur, without the neglect of other precepts, designed to prevent it.

They were, for instance, to lend without interest, yea, to give to the poor as much as he might need; and that although he were a stranger. (Levit. xxv. 35—38, Deut. xv. 7.) To the rich stranger they might lend on usury, but not to the poor. All debts were to be forgiven every six years: and they were most solemnly

charged not to let this prevent them giving liberally to the poor as he might need. (Deut. xv. 1—11.) They were to share the second tithe with the poor and the widow and stranger. (Deut. xxvi. 12, 13.) The gleanings of the field, and of the vineyard, and olive yard, were to be left for them (Deut. xxiv. 19—22,) as also the free use of the fruits of the seventh year. (Levit. xxv. 5, 6.) While these precepts were obeyed, the poor would seldom if ever be sold for debt, or driven to the necessity of selling himself or any of his family.

It is supposed however that Israel, who had given proof of being a stiff-necked people (Exo. xxxii. 9,) might possibly, regardless of the above precepts and examples, and in opposition to the spirit of their laws, imitate the Egyptians in enslaving others. Various laws are given to regulate it should it occur.

Were slavery the only thing contrary to the spirit of the Mosaic law, which that law considers as likely to occur, and in that case instead of preventing it by direct prohibitions to be enforced by the judges, attempts to effect the same thing indirectly, by various limitations and countervailing statutes, there would be more reason in hesitating before we admitted it. But the fact of such a legislation in the Mosaic law, is unquestionable. For instance. The law supposes it possible that Israel would in imitation of the nations about them, change their government from a confederate republic, to a monarchy; and in that case, gives various precepts, regulating the choice, and limiting the monarch when chosen (Deut. xvii. 14—20.) We need but turn to 1 Sam. viii. 4, xii. 16—19, to learn, that Israel greatly sinned 450 years afterwards, in making the very change which was here provided for.

We need but compare the precept (Deut. xxiv. 1—4) respecting divorce, with what our Lord says about it, and the reasons for this precept (Matt. xix. 5—9,) to be satisfied, that except in a *special case*, divorce is contrary to the spirit of the seventh commandment and sinful in the sight of God.

(To be continued.)

VISIT TO THE CEMETERY OF THEBES, IN  
1817, BY G. BELZONI.

Gournou is a tract of rocks, about two miles in length, at the foot of the Lybian mountains, on the west of Thebes, and was the burying place of the great city of an hundred gates.\* Every part of these rocks is cut out by art, in the form of large and small chambers, each of which has its separate entrance; and though they are very close to each other, it is very seldom that there is any interior communication from one to another. I can truly say, it is impossible to give any description sufficient to convey the smallest idea of those subterranean abodes, and their inhabitants. There are no sepulchres in any part of the world like them; there are no excavations or ruins that can be compared to these truly astonishing places; and no exact information can be given of their interior, owing to the difficulty of visiting these recesses. The inconveniency of entering into them is such, that it is not every one who can support the exertion.

A traveller is generally satisfied when he has seen the large hall, the gallery, the stair case, and as far as he can conveniently go; besides, he is taken up with the strange works he observes cut in various places, and painted on each side of the walls; so that when he comes to a narrow and difficult passage, or to have to descend to the bottom of a well or cavity, he declines taking such trouble, naturally supposing that he cannot see in these abysses, any thing so magnificent as what he sees above, and consequently deeming it useless to proceed any further. Of some of

\* This city is selected by Homer, as the richest then known, to indicate the contempt of Achilles for the proffered gifts of Agamemnon:

Not all proud Thebes' unrivall'd walls contain,  
The world's great empress on the Egyptian plain,

That spreads her conquests o'er a thousand states,

And pours her heroes through a hundred gates;  
Two hundred horsemen, and two hundred cars,  
Through each wide portal issuing to the wars,  
Should all these offers for my friendship call,

'Tis he that offers, and I scorn them all.

*Iliad, Book iv.*

these tombs, many persons could not withstand the suffocating air, which often causes fainting. A vast quantity of dust arises, so fine that it enters into the throat and nostrils, and chokes the nose and mouth to such a degree, that it requires great power of lungs to resist it and the strong effluvia of the mummies. This is not all: the entry or passage, where the bodies are, is roughly cut in the rocks, and the falling of the sand from the upper part or ceiling of the passage, causes it to be nearly filled up. In some places there is not more than a vacancy of a foot left, which you must contrive to pass through in a creeping posture, like a snail, on pointed and keen stones, that cut like glass. After getting through these passages, some of them two or three hundred yards long, you generally find a more commodious place, perhaps high enough to sit. But what a place of rest! surrounded by bodies,—by heaps of mummies in all directions; which, previous to my becoming accustomed to the sight, impressed me with horror. The blackness of the wall, the faint light given by the candles or torches for want of air, the different objects that surrounded me, seeming to converse with each other, and the Arabs with the candles or torches in their hands, naked and covered with dust, themselves, resembling living mummies,—absolutely formed a scene which cannot be described. In such a situation I found myself several times, and often returned exhausted and fainting, till at last I became inured to it, and indifferent to what I suffered, except from the dust, which never failed to choke my throat and nose; and though, fortunately, I am destitute of the sense of smelling, I could taste that the mummies were rather unpleasant to swallow. After the exertion of entering into such a place, through a passage of fifty, a hundred, three hundred, or perhaps six hundred yards, nearly overcome, I sought a resting place, found one, and contrived to sit; but when my weight bore on the body of an Egyptian, it crushed it like a band box. I naturally had recourse to my hands to sustain my weight, but they found

no better support; so that I sunk altogether among the broken mummies, with a crash of bones, rags, and wooden cases, which raised such a dust as kept me motionless for a quarter of an hour, waiting till it subsided again. I could not remove from the place, however, without increasing it, and every step I took crushed a mummy in some part or other. Once, I was conducted from such a place to another resembling it, through a passage of about twenty feet in length, and no wider than that a body could be forced through. It was choked with mummies, and I could not pass without putting my face in contact with that of some decayed Egyptian; but as the passage inclined downwards, my own weight helped me on: however, I could not avoid being covered with bones, legs, arms, and heads, rolling from above. Thus I proceeded from one cave to another, all full of mummies piled up in various ways, some standing, some lying, and some on their heads. The purpose of my researches was to rob the Egyptians of their papyri; of which I found a few hidden in their breasts, under their arms, in the space above the knees, or on the legs, and covered by the numerous folds of cloth that envelope the mummy. The people of Gournou, who make a trade of antiquities of this sort, are very jealous of strangers, and keep them as secret as possible, deceiving travellers, and pretending that they have arrived at the end of the mummy pits, when they are scarcely at the entrance. I could never prevail on them to conduct me into these places, till my second voyage, when I succeeded in obtaining admission into every cave where mummies were to be seen.

My permanent residence in Thebes, was the cause of my success. The Arabs saw that I paid particular attention to the situation of the entrance into the tombs, and that they could not avoid being seen by me when they were at work, digging in search of a new tomb; though they are very cautious when a stranger is in Gournou, not to let it be known where they go to open the earth; and as travellers generally remain

only a few days in that place, they used to leave off digging during that time. If any traveller be curious enough to ask to examine the interior of a tomb, they are ready to show him one immediately, and conduct him to one of the old tombs, where he sees nothing but the grottoes in which the mummies formerly had been deposited, or where there are but few, and these already plundered; so that he can form but a poor idea of the real tombs, where the remains were originally placed.—*Narrative of the operations and recent discoveries within the pyramids, temples, &c. in Egypt and Nubia.*

#### REVIEW.

1. Of a practical view of the present state of the state of slavery in the West Indies, or an examination of Mr. Stephen's Slavery of the British West India colonies, &c. by Alexander Barclay, lately, and for twenty-one years resident in Jamaica.
2. Of the observations on the above work, in the third number of the American Quarterly Review.

Few things can appear more easy and natural, than to relate without palliation or enlargement, those facts which have fallen under the cognizance of our senses. I have seen, and therefore ought to know, has the air, and often the effect, of a conclusive argument. Yet, how frequently is curiosity compelled to rest upon partial indulgence with regard to facts and circumstances which all profess to know. The character and situation of a community with which we are constantly conversant, may be supposed to be so completely portrayed upon the mirror of the mind as to reflect a perfect image of the original; but in this, as in every other case, the tints and lineaments of the image will depend, not only on the lights and shades by which the original is sur-

rounded, but upon the texture and polishing of the mirror itself.

These observations are strikingly exemplified by a late publication with the title prefixed to this article, to which the attention of the editor of this journal has been called by a notice of the work in the third number of the *American Quarterly Review*.

The work of Alexander Barclay consists principally of strictures on the slavery of the British West India colonies delineated, &c. by James Stephen, and on some minor productions of a recent date on similar subjects. Our author presents his readers with a picture of West Indian slavery, very different indeed in most of its lineaments, from that which the authors whose works he criticises had furnished. Though they generally profess to have drawn their information either from personal observation or other unquestionable sources, he gives, professedly on similar testimony, a description of the state of West Indian slavery, so far at least as Jamaica is concerned, almost wholly irreconcilable with that of his respectable precursors. The professed object of Stephen is to prove that the melioration of West Indian slavery in the British colonies, must be effected by the mother country, and that the colonial legislatures have done nothing effective, and from the temper uniformly manifested, must be expected to do nothing effective, towards the promotion of that highly desirable object. The design of Barclay obviously is to make it appear, not only that a very different spirit from that which Stephen describes, pervades the West Indian white population, but that any interference with the colonial legislation, or even the discussion of the subject

by the British parliament, must be injurious if not destructive to the West Indians, both masters and slaves. The hackneyed prediction of insurrection and massacre as the unavoidable result of those *impolitic* discussions, and the repeated failure of the prediction, must be too familiar to those who are acquainted with the history of the parliamentary efforts for abolishing the slave trade, and meliorating the slavery of the British sugar islands, to excite by its repetition either surprise or alarm. Our author has not overlooked this part of his argument; but the most prominent, as well as the most imposing part of the work, consists of declarations professedly founded on personal observation, which if admitted in their full extent, must make it apparent, that a great part of the evils which have been confidently attributed to the system, or considered as integrant parts of it, have now no existence, except in the brains of visionary enthusiasts, or their deluded and credulous followers. The situation of a great part of the slaves in Jamaica, would appear to be not only comfortable, but when compared with that of the peasantry of England and Ireland, an object of rational desire. He observes, "however unaccountable it may appear to those who have taken their information from Mr. Stephen, however inconsistent with his description of their situation, and of the rapacity of their owners, the truth nevertheless is, that the great body of them are in easy, comfortable circumstances, and not a few in the possession of actual wealth." Page 48.

However mortifying it may be to those who belong to the school of Stephen and Cooper, to discover that they have been fighting a shadow, and

supposing it a giant, I am well assured they would rejoice in the conviction, that this description of the slaves in Jamaica was strictly correct. There certainly are real evils enough in the world to exercise the benevolence of English and American philanthropists, without spending any part of their strength or resources on those which have passed away or never had an existence.

If the West Indian proprietors have already done or are doing all to improve the condition of their labouring classes, which their situation admits, far be it from the friends of the blacks, to arrest their course by any impertinent interference. The highly improved situation of the slaves in Jamaica being satisfactorily proved, an inference would naturally arise, that those in the neighbouring islands were not far behind. Hence the friends of the blacks may conclude to sit down in patient expectation of the slow but certain progress of colonial reform, upon which one author seems willing to rely.

But before we abandon the cause to those of whose benevolent dispositions we have such pleasing accounts, it may, perhaps, be prudent to inquire, whether prejudice may not have heightened the picture of colonial beneficence, as well as of negro suffering. If our author can be indulged in the strictures which he has made, not only upon the arguments, but upon the veracity of Stephen and others, surely he can hardly complain of injustice if some doubts should be intimated with regard to the correctness of his own statements. To follow him through a volume of four hundred pages, and endeavour to ascertain how far his conclusions or his facts are

consistent with the information derived from other sources, would be a labour of which neither time nor room admits. I shall, however, endeavour in a few instances, to compare his statements with indisputable facts. The following affords no very favourable specimen of his accuracy. "Among instances which have been brought forward to establish the practicability of an immediate or general emancipation, we have seen reference made to some of the states of North America, Pennsylvania, New York, and New Jersey, where laws were passed by their own respective legislatures, declaring that slavery should cease after a certain subsequent date. But, in the first place, between the states and our colonies there exists no parallel, because the number of slaves in the former was altogether insignificant, compared with the white population, for whose labour the climate is better adapted than for the labour of negroes.\* Nor is this all: there is another circumstance in the case, which those who bring it forward as a pattern for us, are either ignorant of, or take care never to mention; in point of fact, though there was an abolition of slavery in those states, *there was no emancipation*, as the slaves were only removed to the more southern states before the date when slavery was to cease. I witnessed myself, a cargo of those unfortunate be-

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\* This discovery was not made on this side of the Atlantic. The negro constitution is believed to be better adapted than that of the whites to the endurance of toil under a tropical sun; but it does not follow as a necessary consequence, that they are less capable of labour in our climate than the descendants of Europeans; nor does the fact appear from experience.

ings shipping off from New Jersey for Louisiana, and the impression on my mind was, that, however good a thing it might be for New Jersey, the law which put an end to slavery in it, had done any thing but benefited the slaves, who were thus torn from their homes, to be employed in what Mr. Stephen calls 'the lethiferous process of opening new lands' in the distant swamps of Louisiana. Suppose a law were passed, by which slavery were to cease in the Bahamas in 1830, and that *the whole of the slaves* there, were, before that period, removed to Demarara, it would be *exactly such a case* of emancipation as has been quoted from America." Page 253.

This may, perhaps, do in the West Indies, or for aught I know, even in London; but in Philadelphia it has some *prejudices* to encounter. In the first place, there never was such a law passed in Pennsylvania or New Jersey as here stated. The laws for the abolition of slavery in those states applied to the children to be born after certain dates,\* but did not *emancipate* those then held in the states. In New York, slaves were not *emancipated* by law until the present year, and in that state there may have been some temptations, besides high prices, to export the slaves, to the swamps of Louisiana. But even there the slaves emancipated were all necessarily from twenty-eight and upwards; therefore, generally past the age when they would be desirable objects of purchase, especially to engage in the toilsome occupation of opening new lands.

But in the second place, it seems

to be making the inference much too broad for the premises, to infer from the fact of seeing *one* cargo of slaves shipping off from New Jersey, that all the slaves from Pennsylvania, New Jersey, and New York, (amounting collectively at the times when their laws for the abolition of slavery were respectively passed, to upwards of 26000,) were sent off to the southern states.

But in the last place, the fact itself of the *one* cargo being shipped off in the presence of our author, requires, for me at least, some explanation. At what time, or at what port, he witnessed the embarkation, we are not told. We may, however, fairly presume, it was after Louisiana was ceded to the United States. Now, that cession was made in 1803; and the legislature of New Jersey prohibited the removal of slaves out of the state, except in case of emigrants who were leaving the state to settle elsewhere, in 1788, fifteen years before the cession of Louisiana was made, and sixteen before the abolition law was passed. He tells us (page 383,) that he was in New York in December, 1821, near which time, of course, we may conclude the shipment was made. It happens that in 1818, a law was enacted by the legislature of New Jersey, and re-enacted with amendments in 1820, affixing a penalty of not less than \$1000, or imprisonment of not less than two years, or both, to the act of removing, or attempting to remove a slave out of the state, except in certain specified cases, of which this certainly was not one. And it was well understood here, that there was no disposition in the authorities there to permit this law to lie dormant. We are, therefore, driven to the con-

\* See pages 173 and 179 of this journal.

clusion, that such shipments, if made at all, would be anxiously concealed from all but those who were *deeply involved in the guilt*. The attempt to remove by sea, from New Jersey to any of the southern states, the seven thousand slaves then in the former, would have afforded an ample harvest to the ministers of the law, by the forfeiture of the vessels employed, and have carried on the work of *emancipation* much more rapidly than was ever designed by the framers of the law. For every slave upon whom the attempt was made, became immediately free.

The exportation of slaves under circumstances such as our author describes, does not appear to have been lawful in Pennsylvania or New York since 1788. Does this fact, witnessed by himself, and thus explained, cast any light upon other facts, which, for want of local information, we are unable to explain?

Another instance of our author's want of accuracy, though not of much importance, must be somewhat remarkable in the view of an American reader. "Of the *four* chief magistrates who have presided over that country of freemen by the choice of the people, *three* have been selected from the slave states, where, according to Mr. Stephen, the exercise of despotic power, the long administration of an iron system, and the contagion of local habits and prejudices, extinguish humanity and convert men into brutes. Page 55." Now, his preface is dated December, 1825, when the *sixth* chief magistrate occupied the chair, *two* of whom were from a state in which no slaves are held. The error is trivial, yet it *happens* to

represent three-fourths instead of two-thirds of our presidents as belonging to the south. If political questions came within the pervue of this journal, it might, perhaps, be no difficult matter to find, in the commanding character of our first chief magistrate, which for a time cast a halo round the state that gave him birth; the unequal representation which was adopted in the federal compact; and in the general aversion to a northern president which pervades the slave-holding states; more satisfactory reasons, than our author has assigned, why the choice of chief magistrate has so generally fallen upon the natives of the south. But what shall we say of our author's candour in his quotation from Stephen? Are the words which he would appear to have borrowed, to be found in the passage referred to? They *are not*. The expressions are, "In answer to a thousand proved and indisputable facts, we are desired to rely on the humanity of our countrymen in the colonies,\* as if there was nothing in the exercise of despotic power, or in the long administration of such an iron system as prevails there, or in the contagion of local prejudices and habits, that had a *tendency to impair* that quality; but if we could rely on the incorruptibility of benignant feelings in the whites, we must extend the same prepossessions also to the black delegates of their authority, before we can believe that the driving system is mildly and equitably administered." Did Barclay cite

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\* The British sugar islands, not the American slave-holding states, to which Barclay had very unceremoniously transported his author without judge or jury.

the page and copy great part of the words, without reading the passage? Or, was not his author, of whose harshness he so freely complains, in this place sufficiently acrimonious to suit his taste?

If our author has not been more candid in regard to facts than he appears to have been in respect to the arguments of his authors, his readers may yet be left under the gloomy persuasion, that the elysium which he has prepared for the sable inhabitants of Jamaica still contains a portion of the misery and degradation which Stephen and others have attributed to it; and that the labours of the British philanthropists are not so nearly closed as his pages would lead us to imagine.

In page 28 our author tells us, "that the twenty-six days allowed by law to the slaves for the cultivation of their lands are sufficient and more than sufficient, we have the testimony of Mr. Stephen himself. Enlarging on a favourite topic, the starvation of the poor oppressed bondmen, he asks, why are those poor beings, who, in a climate and on a soil *that would yield them a year's subsistence for the labour of a week*, worked hard, not for one week in the year, but for the whole fifty-two, to endure nevertheless the miseries of famine."

Recurring to the work of Stephen, I find the words quoted it is true, but not the *assertion* attributed to him by our author. He was speaking of the complaints made by the planters of the difficulties with which they had to contend, and of the sufferings to which their *dependants* were liable, and quoted, in illustration of his subject, the assertion of the planters, not his own, that the labour of a week

will furnish subsistence for a year. The same assertion he afterwards repeats, but plainly without adopting it as his own, to show that upon their own principles, their treatment of the slaves was incapable of defence. If Stephen uses sophistical arguments, or makes incorrect assertions, he is open to exposure; but if his words must be warped from their obvious intent, to suit the views of our author, we may safely conclude he found it difficult to accommodate himself with their proper import, or why resort to a fallacy so easily detected? In page 66 he represents "Mr. Stephen" as asserting that "the oppressed slaves," of the Bahamas, we may suppose from the context, "are driven like beasts, worked beyond their strength, stinted of necessary food, and thus have their days shortened. Page 82." Now, how stands this grave accusation in the page referred to? Stephen, reasoning on the cruelty and injustice of transporting the slaves from the Bahamas, where he represents their situation as one of comparative comfort, to the newly opened lands of Demarara, takes occasion to observe, "there is no moral law, natural or revealed, that says to injustice, 'thus far shalt thou come, and no further;' injustice in every degree being prohibited by both. If I may warrantably enslave my brother for life, and his posterity for ever, because I deem it expedient, why not drive him for the same reason like a beast, work him beyond his strength, stint him of necessary food, and thus shorten his days? Why not banish him from his home and family, or even put him outright to death?"

On the assertion of Stephen, that the declaration frequently repeated, that negroes and mulattoes are the



worst masters, is not only untrue but the reverse of truth, our author observes, "therefore, negroes and mulattoes must be the best masters to negro and mulatto slaves. It is almost unnecessary to observe, how much this assertion is 'the reverse of truth;' no person who has the least knowledge, of the West Indies, can be ignorant that negroes and mulattoes make the very worst masters, or at all events that the slaves, who ought to be the best judges,\* think so. I have frequently known free persons of colour, and also slaves, very anxious to purchase slaves, but unable to do it, from the *universal* abhorrence negroes have to belong to such masters, for notwithstanding the misrepresentations made to the contrary, it is very seldom that a slave is transferred from one person to another, but with his free consent and approbation. It would be painful for the seller to act otherwise when parting with his people; and extremely hazardous to the purchaser." Page 22. And again, "purchases of negroes often cannot be effected in consequence of their dislike to go to the plantations they are wanted for; and the removal of them is *never* attempted but with their own free consent and approbation. When slaves do not belong to poor people, the *marshall's* sales are frequently nominal, for the purpose of making good the conveyance on a private sale. On occasion of such sales, I have seen the negroes openly abuse white persons who wish-

\* Whether the judgment of the slaves on this point, is more to be relied on than that of the white people, because the former are less enlightened than the latter, our author has not thought proper to tell us.

ed to purchase them, and of whose characters as masters they had heard an unfavourable report. Their language was to this effect: we know you well—we know what your plantation is, and how you treat your negroes. If you buy us you will lose your money, we will not have you for a master, we will not belong to you, or work for you if we go to live in the woods. Proof enough could be adduced of intended sales and transfers of slaves from place to place, which have been abandoned for no other reason than that the slaves, after sending a deputation of their own body to inspect the new situation, have decidedly objected to the removal," Page 56—7. How then does it happen, since slaves are *never* transferred without their own free consent, and they are *universally* opposed to becoming the property of black or coloured persons, either free or bond, that any of the slaves become the masters of slaves, as our author informs us they do? On one estate, he says, there are slave families, possessing among them, between twenty and thirty slaves of their own, as many horses, at least, and twice as many asses, page 271. These specimens indicate the propriety of construing some parts of our author, as Dean Swift did the severe passages of Scripture, with a grain of allowance.

In his introduction our author has drawn the following contrast between the situation of the slaves and other persons of colour in Jamaica at or near the time the slave trade was abolished, and the present.

"At no very distant period, when savage Africans were pouring into Jamaica, and while there were yet but few natives or creoles, the master's

power of punishing his slaves was little restrained by law; and was exercised to a great extent, by the subordinate white people, and the drivers."

"It is now limited to thirty-nine stripes, to be inflicted by order, and in presence of the master or overseer, and ten by subordinate agents: and, comparatively speaking, is but seldom required at all. There is not now one punishment for twenty that were inflicted fifteen or twenty years ago."

"Ten years ago, chains were in common use on the plantations, for punishing criminal slaves."

"The use of them is now entirely abolished."

"Twenty years ago, there was scarcely a negro baptized in Jamaica."

"Now they are nearly all baptized."

"Twenty years ago, the churches were scarcely at all attended by the slaves."

"Since then, the number of churches, or places of worship, of one kind or other, has been more than doubled, in fact nearly trebled, and yet, in the districts where I have had an opportunity of seeing them, they are all fully attended, and principally by slaves."

"Twenty years ago, negroes were buried at midnight, and the funeral rites, in the form of African superstition, were the occasion of continual excesses among those who attended."

"Negroes are now buried during the day, and in the same manner as the white people."

"Ten years ago, the marriage rite was altogether unknown among the slaves."

"The number now married is not inconsiderable, and is fast increasing."

"While the importation of Africans was continued, the practice of Obeah was common and destructive."

"It is now seldom heard of."

"The working of sugar mills encroached on Sunday, during crop."

"It is now prohibited by law, and Sunday is strictly a day of rest."

"Formerly the negroes cultivated their ground on Sunday—white persons were even sent to superintend them."

"Now they have by law twenty-six working days in the year for this purpose."

pose: every manager must swear that he has given them this number of days, and no slaves now work at their grounds on Sunday, but such as are more inclined to make money, than to attend church. A law to forbid their working at all would be of doubtful policy, until they learn to employ the day better than in idling and drinking."

"When the abolition of the African trade took place, a large proportion of the slaves were newly imported Africans, maintained with provisions raised or bought by the master; or lodged with other slaves, who had grounds which they assisted in cultivating."

"Now the plantation slaves in Jamaica have all houses of their own, and grounds of their own, and are, in every respect, more comfortable and independent. They form more steady connexions, pay more attention to their families in the way of keeping them clean, and dressing them neatly; and, in short, have acquired more taste and desire for domestic enjoyments."

"Manumissions were, at one time, burthened with heavy taxes."

"They are now perfectly free."

"For cruel or improper punishments, slaves had formerly no adequate redress."

"Now they are manumitted, and provided with an annuity for life; and magistrates are appointed a council of protection, to attend to their complaints."

"Formerly, the trial of slaves was, I believe, by parole; and the power of death was entrusted to the slave courts, who could order the criminal to immediate execution."

"Now the whole evidence and conviction must be transmitted to the governor: and, unless in cases of rebellion, the sentence cannot be carried into execution without his warrant."

"For ten slaves that were executed twenty years ago,

"There is not now more than one, and I think not even that proportion."

"Twenty years ago, the coasting vessels of Jamaica were almost exclusively manned with slaves."

"From the increase of the free population."

pulation, the coasting vessels are now more commonly manned with free men."

"The operative mechanics about towns—carpenters, ship-builders, &c. were mostly slaves."

"This description of work is now performed principally by free people of colour."

"A few years ago, marriage was unknown among the free people of colour."

"It is now becoming common, and many of them are careful to preserve the sanctity of the institution."

"The number of free persons in Jamaica, in 1787, was estimated at only 10,000."

"It is now 35,000, and rapidly increasing, by manumissions as well as births."

This representation, if it can be fully relied upon, must be highly consolatory to the friends of their species, more especially if it can be admitted as the result of spontaneous exertions on the part of the white colonists. These improvements it would appear, have been greatly facilitated, if not wholly effected, by the abolition of the slave trade. A measure which was advocated by those very men who are now represented as enemies to the colonies, and the instigators of rebellion and massacre; and opposed in every stage by the weight of colonial interest. The abolition which in 1791 was pronounced, on the floor of the British parliament, to be impracticable, visionary, and delusive, now appears to have already effected a large part of the good which its supporters predicted; and the humane and indulgent treatment of the slaves, which was then urged in opposition to the projected abolition, now appears as the result of it.\* This sum-

mary comprising, according to our author, a correct representation of the state of the case in the latter part of 1825, it may be interesting to examine what other authorities of nearly contemporary dates have offered to our belief.

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**ERROR CORRECTED.**

In page 176 of this journal, it is stated that no decision ever was had of the question whether slavery was compatible with the Pennsylvania declaration of rights. This statement I made upon what I supposed unquestionable authority. I since find this was a mistake; though the case I believe, does not appear in any of the printed reports. It was decided in the year 1802, in the High Court of

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if not instructive, to observe the near correspondence in the account of the treatment of slaves either on their passage or in the colonies, when given by those who are opposed to any interference of the mother country. When Sir W. Dolbin, in 1788, was striving to secure to the ill-fated Africans on board the slave ships, a space equal to what they would require in their coffins, it was asserted that the accommodations already allowed, were sufficiently ample to render the objects of them comfortable; and that the restrictions proposed would be a virtual prohibition of the traffic. Even that innocent measure could not be permitted to pass without the cry of ruin and horror. (See the Lord Chancellor's speech on the subject.) Yet when the effect came to be seen, it was admitted by the merchants themselves, that their profits were increased by it. When the abolition was proposed, oppression to the slaves, and extermination of their masters, were held up as the unavoidable result. Now, that measure being also carried, the situation of the slaves is said to be so far improved by it as to render any further interference by the British parliament worse than useless.

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\* See speeches of the agent of the islands, Lord Russel and others, on Wilberforce's motion. It is amusing,

Errors and Appeals, in the case of negro Flora against J. Graisberry, after a full argument by the most competent counsel, as the unanimous opinion of the judges, that slavery was not inconsistent with any clause of the constitution of Pennsylvania.

To the Editor of the African Observer.

JUST RECIPROCITY.

In the last number of your work, I observe you have treated upon the exclusion of negro testimony from the southern tribunals. To the arguments which you have advanced, I have no objection to make, but regret that you have not pursued so far as I think you might justly have done, the effect of that exclusion on the recovery of those who have had the misfortune to fall into the hands of kidnappers. It is certainly important that those criminals who pursue this nefarious occupation, should be subjected to the punishments which the laws have prescribed; yet in the view of the philanthropist, it is much more important that the captive should be delivered from the grasp of lawless authority. The rule of law adopted in the slave-holding states, that the testimony of a coloured person, free or bond, shall not be admitted, in any case wherein a white person is concerned, operates very injuriously, not only on those who are kidnapped, but also on their friends, who attempt their recovery. In the circumstances recently disclosed in this city, we find a strong illustration of the practical effect of this rule. A number of boys, were clandestinely carried off, far into the southern states. In one or two years, it must have been no easy affair to find a white person so intimately acquainted with them, as to be able to identify them, with such unwavering certainty as the case required. And if such white person could be found, the probability would be, that great difficulty and loss must attend the undertaking. To travel a thousand miles or more, in search of a kidnapped child, would require a share of zeal which friendship or philanthropy does not always supply. There were,

probably, very few of these boys, who were not known to a considerable circle of their own complexion, by whom they might have been clearly identified. To procure among this class of acquaintances, persons willing to encounter the hardships of a distant journey, would have been much easier than among those whom alone the southern tribunals admit. The expense of recovery would likewise, in this case, have been greatly diminished. Had the father of Sinclair, been a competent witness in Alabama, none could have been more capable of proving him, and the expense of his recovery would have been of comparatively moderate amount. As the case stood, the boy was recovered at an expense of fifty per cent. beyond what he would have cost, if his friends had purchased him at once of his ostensible owner.\* It is fully believed, if not absolutely proved, that between twenty and thirty persons of colour have, within the last three years, been clandestinely carried off, from this city. A few of these have been restored to their friends, but a larger number, if living, are probably still held in slavery. Should the situation of those persons, by any means become known to their friends, their recovery, under the operation of existing usages and laws, must draw very heavily upon the friends of private charity. And very probably, in some instances, neither labour nor expense would be available, for want of white witnesses to prove their origin. We claim here, in Pennsylvania, no authority to emancipate the slaves, legally held as such in our sister republics, nor to prevent their recovery, when they escape into this state; and surely *they* on the other hand, will not claim the privilege of preventing the inhabitants of this commonwealth, whether black or white, from being redeemed when carried off, in defiance of law, beyond our jurisdiction. However impertinent any interference with their usages and laws, may appear, when they operate only on them-

\* He might have been bought for 300 dollars; the expense of his recovery was about 450 dollars.

selves, it is undeniable that we have a right to complain of the hardship to which, in the protection of our own people, we are sometimes subjected, by the exclusion of testimony which we have thought proper to admit in our own courts of justice. Whatever our southern legislatures may find expedient to maintain among themselves, it seems to me, it would be no extravagant concession, to admit our free coloured persons, to prove the freedom of such of their own colour as may claim it on the plea of nativity within our own jurisdiction. Should a law be enacted, in the slaveholding states, embodying the provisions which are now in force in relation to sable testimony, it might be justly entitled, a law to encourage kidnapping, and for other purposes. It is probable, the effect of the rule as here stated, has been little considered in the southern states. Not two years ago, a deputation from the legislature of Maryland, attended the seat of government in at least two of the states, during the session of their legislative assemblies, to solicit some enactments to facilitate the recovery of fugitive slaves; would an application for a law to facilitate the restoration of kidnapped free persons, be less worthy of respectful attention?

Philada. Sept. 21, 1827. L. E.

To the suggestion of the correspondent, I take the liberty of adding, that the privilege here claimed, appears to be guaranteed by the spirit, if not by the letter of the Federal constitution. In the 4th article, we find the following provisions.

*Article 4.—Section 1.*

1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state.

*Sect. 2.* The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of

the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. No person held to service or labour in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour; but shall be delivered up on claim of the party to whom such service or labour may be due.

The principle of these regulations evidently is, that the rights and responsibilities belonging to the inhabitants of any of the states, by the laws and usages thereof, shall not be impaired by their temporary removal into any other state. Those who are entitled to the privileges of citizenship in one state, do not lose those immunities in any other state. If the full rights of citizens are not enjoyed, but minor rights are, does it not follow that the principle which maintains the greater, must also maintain less? If, according to the laws of Pennsylvania, a black man is a competent witness, in any case within his knowledge, is it not a violation of the principle of the constitution to deprive him of that competency, the moment he crosses *Mason and Dixon's line*? The criminal escaping into another state, is to be thrown back to suffer the penalties of the law. The slave escaping from a state where slavery is tolerated, to one where it is proscribed, must nevertheless be restored to the owners, upon proper evidence being produced of the legality of their claim; the just reciprocity which the above cited article enjoins, evidently requires that the free person clandestinely carried from a free, to a slave state, should, notwithstanding this unlawful abduction, be secured in the enjoyments of all the immunities allowed in his native state. And of this, he is deprived if the witnesses upon whom in the one, he may safely rely, are rendered totally unavailing in the other. Two persons being lawfully married in any one of the states, even though such marriage may be prohibited by the laws of another, are entitled to all the rights of matrimony in any other, even in that where the

prohibition exists; but in our southern states, a coloured inhabitant of Pennsylvania or N. England, cannot support a claim to his kidnapped wife or child, without invoking the aid of his whiter neighbours. If a small community of coloured persons should be formed in any of the non-slave-holding states, where would be their remedy in case any of their number should be clandestinely conveyed to a southern market? And are not the children in numerous families of that people now in very nearly the same situation?

#### FLORIDA.

The following extract from Gadsden's Address to the Florida Institute, enumerates products as numerous and valuable as are to be found in any region of the world.

"Florida is no less remarkable for the natural, than the foreign productions which have been found congenial to her soils. All the varieties of pulse, the tuberous and the esculent roots, the farinaceous grains, wheat, barley, rye, oats, and the millets, peas, beans, yams, and potatoes, have been cultivated to great advantage. Cottons, the black and the green seed, produce, as is natural to the climate; and the experiments in sugar cane have been crowned with no ordinary success. The banana, the plantain, the pine-apple, the cocoa-nut, and most of the tropical fruits, flourish near the southern extremity, and may, it is believed, be gradually naturalized to the northern limit; some few experiments near St. Augustine have been very encouraging. Figs, oranges, limes, lemons, and all the varieties of citrons, nectarines, peaches, olives and pomegranates, thrive in the eastern section of the territory, as if indigenous; and if any conclusions to equal results from the similarity of soils and climate can be relied on, a well grounded expectation may be entertained, that almonds and the palms, all the varieties of the grapes and the oleaginous grains which have contributed alike to the luxury, the comfort, and wealth of the south of Europe, and of the countries washed by the Mediterranean, may be successfully introduced into Florida."

The North American Review remarks, that the acquisition of Florida is one of the most important occurrences of our history. The acquisition of Louisiana, indeed, was hardly complete without it, nor could there be any security to the south-western frontier, while Florida remained in foreign hands, and opened a way to one of the most vulnerable parts of the U. States. Its acquisition, after a negotiation which had baffled the skill of our ablest statesmen for thirty years, entitles Mr. Adams, by whom the negotiation was conducted, to a praise second only to Mr. Jefferson's for the purchase of Louisiana. Florida is rapidly peopling and improving. The address referred to above, is from the press of a settlement three years old. The township granted General La Fayette adjoins that of Tallahassee, and is probably to be soon surrounded by one of the most fruitful regions not only of the United States, but of the world. In the event of the completion of the great Florida canal, the citizens of this territory will possess every incentive to industry which a free and enterprising people can wish.—*Balt. American.*

#### EQUALITY.

The slaves in Virginia give that state *seven representatives* in congress. The free white population of Virginia is only so much larger than the white population of Massachusetts as to entitle her to *two* more representatives; and yet the former has *nine* more than the latter.

The white population of North Carolina is not so great by 100,000 as that of Massachusetts; and yet that state has *as many* congressmen as Massachusetts.

The number of white inhabitants in South Carolina is *not so great* as that of Maine by 60,000—but South Carolina has *two more* representatives in congress than we have. The free population of Maine is about 300,000—that of Georgia only 189,000; and yet Georgia has *as many* representatives as Maine.

Georgia, South Carolina, North Carolina, and Maryland, with an aggregate of one million of freemen send as many

members to congress save one, as all the New England states, with a million and a half inhabitants. If those states send 38, New England ought in proportion to send 57. She has but 39. Is such a state of things *equal*? But such are the advantages of slaves to the Southern states. And yet slaves do not vote. A white man at the South has a representative power greater by about fifty per cent. than a freeman at the North has.

*Freedom's Journal.*

#### MAJOR LAING.

The report of the death of Major Laing, the celebrated traveller in Africa, is contradicted on the authority of letters from the English consul at Tripoli. It is said that Laing and Clapperton have met at Timbuctoo, and are quietly living there.

#### THE INJURED AFRICANS.

Reuben Madison, was born in Virginia, near Port Royal, about the year 1781. His parents, and all his connexions in this country were slaves. His father died when he was about seven years old. His mother is now living in Kentucky, enjoying freedom in her old age, through the filial regard of Reuben, who purchased her liberty for seventy dollars. She is seriously disposed, but not a professor of religion. He has now eight brothers and sisters living in Frankfort, Franklin county, Kentucky, all slaves, and all, excepting one, members of a Baptist church in that place.

About a year after his conversion, Reuben was married to a slave, who had been kidnapped in Maryland, and sold to a planter in his neighbourhood. She was also hopefully pious. While they lived together, she became the mother of two children; but about four years after their marriage, she and one of the children, aged eight months, were sold without his knowledge, and transported to a distant Spanish territory, and with so much secrecy, that he had no opportunity even to bid her a last farewell. 'This,' said he, 'was the severest trial of my life, a sense of sin only excep-

ted. I mourned and cried, and would not be comforted.

After several months, however, the hope of meeting her and my children again in the kingdom of God, when we should never be separated, together with a promise from my master that I should at some future time go and see her, in some measure allayed my grief, and permitted me to enjoy the consolations of religion."—The other child is now a slave in Kentucky, though the father has often endeavoured in vain to purchase his freedom.

About six years since, having hired his time of his master for five years previous, at 120 dollars a year, Reuben had succeeded, by trafficking in rags, and in other ways, in collecting a sum sufficient for the purchase of his own freedom, for which he paid 700 dollars, and not only so, but he was enabled, with his surplus earnings, to build him a brick house, and to provide it with convenient accommodations. By the dishonesty of his former master, however, all was taken from him.

Thus stripped of his property, he left Kentucky and went to New-Orleans, that he might learn something from his wife, and if possible, find and redeem her; but he only succeeded in gaining the painful intelligence that she was dead. He there formed an acquaintance with his present wife, whose former name was Betsey Bond, and they were soon married.—The circumstances of her life are briefly these:—

Betsey was born a slave, near Hobb's Hole, Essex County, Virginia, about 1763, was married to a slave at about the age of twenty years. By him she had three children, one of which, together with her husband, died a few years after their marriage. Soon after their death, she was led to reflect on her lost state as a sinner, and after about seven months of deep anxiety, was enabled, as she trusts, to resign herself into the hands of her Saviour, and experience those consolations which he deigns to grant to the broken-hearted penitent.

She gained the confidence and attachment of her mistress, who treated her with much kindness, and was married to a pious servant of the family,

where she remained about nine years. At the close of this period, a planter from the vicinity of Natchez coming to Alexandria, in Virginia, where she then lived, for slaves, she was sold, and carried with eight others to his plantation, leaving her husband behind.

Her new master treated her with great severity, and she was compelled to labour almost incessantly every day of the week, Sabbath not excepted, to save herself from the lash. With this man she lived nineteen years, and he then died, and left his slaves by will, to another planter, who also dying soon after, she was again sold, and transported to New-Orleans, where she arrived about the year 1812.

At the end of two years this master also died, and when his slaves were about to be sold, Betsey succeeded with some difficulty in hiring her time, and in little more than a year, by washing and other labour, she acquired sufficient property to purchase her freedom, for which she paid 250 dollars. Her youngest son, with his wife being also slaves in New-Orleans, she hoped by her industry and economy to obtain money sufficient to purchase them also; but their master refused to part with them.

About six years ago, a large number of slaves were brought to New-Orleans from Virginia, and were about to be offered for sale, and Fanny was among the number. Having become accidentally acquainted with her, previous to the sale, and finding her a sister in Christ, Betsey's feelings were deeply interested, and she resolved to purchase her, and to treat her not as a slave, but as a child and companion.

This determination she communicated to Fanny, and with the aid of a gentleman she succeeded in accomplishing her object. The price was 250 dollars. She paid 200, *her all*, and obtained a short credit for the remainder. Soon after this, her present husband coming to New-Orleans, as before stated, they were married, and the payment for Fanny was then completed.

By their united industry, they were soon able to build a comfortable house, in which they set apart a room for re-

ligious purposes. Here they assembled with others every Sabbath for the worship of God. But being constantly exposed to be disturbed in their worship, they felt a great desire to go to a free State, where they might enjoy religious privileges unmolested; where they could unite with Christian friends in social prayer and conversation, without a soldier with a drawn sword stationed at their door.

They fixed upon New-York as the desired asylum; and having arranged their concerns, rented their house, and collected their effects, they engaged and paid their passage, which was seventy dollars, and sailed from New-Orleans about the 12th of July, 1825, with pleasing anticipations for a land of freedom and religious privileges.

They suffered much on their voyage through the cruelty of the captain; being exposed without shelter during the whole of the passage, either on deck or in the long boat. In consequence of this exposure, both of the women were taken sick, and in this condition they arrived at New-York, and were landed on the wharf in a land of strangers, their money almost expended, and none to commiserate their sufferings.

After a few days, however, Reuben succeeded in obtaining a miserable cellar in Chapel-street, at sixty dollars annual rent, where he remained until quite recently, supporting the family in their sickness, by his labour as a shoemaker, and by the sale of some of his effects.

On his arrival at this port, his first act was to grant entire freedom to Fanny, giving her liberty to live with him, or to go where she pleased. She chose to remain with him, and now assists in the support of the family by washing and other labour, and nurses her mistress who is evidently declining with the consumption occasioned doubtless by the severity of her treatment on the passage from New-Orleans.

Not being able to pay their rent in advance, owing to their sickness and other expenses, their landlord not long since compelled them to quit their residence; and they have since been



obliged to put up with still more miserable accommodations in a cellar in Elm-street, where they now reside.

They appear to put their trust and confidence in God, and express their entire belief that all their trials are designed for their good. They seem to be one in sentiment and feeling, and to manifest a spirituality of mind rarely to be found. Every little attention is most gratefully received, and the best of blessings are implored on him who bestows it.

With some assistance from the benevolent, and with what they may receive from New-Orleans for rents, it is believed they may be provided with a comfortable house, and be introduced to those privileges which they so ardently desire. No one of the family can read, though they are all desirous to learn, and from a little attention which friends have given them, it appears that they may be taught without difficulty.

We trust that the mere recital of these facts will be sufficient to awaken the sympathy of our Christian friends, and to induce immediate measures for the relief of the benevolent sufferers. A note from our correspondent informs us that within a few days the health of the sick woman has rapidly declined, owing doubtless to her miserable accommodations, and that she is now apparently in the last stages of the consumption.

In a few weeks at farthest, her spirit will ascend to that world where sorrow and sighing will cease, and all tears be forever wiped from her eyes. We hope that the little remnant of her days on earth will be made happy, and that when she appears at the bar of the Great Judge, she will not have to speak of white men only in the language of accusation.

It is an affecting thought that the wrongs of this poor woman, which commenced at her birth, and were inflicted without interruption during the long years of slavery, still followed her on her passage to the land of freedom, and have been finally consummated in this city, the city of her hopes, her fancied asylum from the oppressor.—*A. Mott.*

#### SLAVE TRADE.—A FABLE.

(Continued from page 192.)

Plead not, in reason's palpable abuse,  
Their sense of feeling<sup>2</sup> callous and obtuse:  
From heads to hearts lies Nature's plain appeal,  
Tho' few can reason, all mankind can feel.  
Tho' wit may boast a livelier dread of shame,  
A loftier sense of wrong refinement claim;  
Tho' polish'd manners may fresh wants invent,  
And nice distinctions near souls torment;  
Tho' these on finer spirits heavier fall,  
Yet natural evils are the same to all.  
Tho' wounds there are which reason's force may heal,

There needs no logic sure to make us feel.  
The nerve, howe'er untutor'd, can sustain  
A sharp, unutterable sense of pain;  
As exquisitely fashion'd in a slave,  
As where unequal fate a sceptre gave.  
Sense is as keen where Gambia's waters glide,  
As where proud Tiber rolls his classic tide.  
Tho' verse or rhetoric point the feeling line,  
They do not whet sensation, but define.  
Did ever wretch less feel the galling chain,  
When Zeno prov'd there was no ill in pain?  
In vain the sage to smooth its horror tries:  
Spartans and Helots see with different eyes;  
Their miseries philosophic quacks deride.  
Slaves groan in pangs disown'd by Stoic pride.

When the fierce Sun darts vertical his beams,  
And thirst and hunger mix their wild extremes;  
When the sharp iron<sup>3</sup> wounds his inmost soul,  
And his stain'd eyes in burning anguish roll;  
Will the parch'd Negro own, ere he expire,  
No pain in hunger, and no heat in fire?

For him, when agony his frame destroys,  
What hope of present fame or future joys?  
For that have Heroes shorten'd nature's date;  
For this have Martyr's gladly met their fate;  
But him, forlorn, no Hero's pride sustains,  
No Martyr's blissful visions sooth his pains;  
Sullen, he mingles with his kindred dust,  
For he has learn'd to dread the Christian's trust;  
To him what mercy can that God display,  
Whose servants murder, and whose sons betray?  
Savage! thy venial error I deplore,  
They are not Christians who infect thy shores.

O thou sad spirit, whose preposterous yoke  
The great deliverer Death, at length, has broke!  
Relcas'd from misery, and escap'd from care,  
Go, meet that mercy man deny'd thee here.  
In thy dark home, sure refuge of th' oppress'd,  
The wicked vex not, and the weary rest.  
And, if some notions, vague and undefin'd  
Of future terrors has assail'd thy mind;  
If such thy masters have presum'd to teach,  
As terrors only they are prone to preach;  
(For should they paint eternal Mercy's reign,  
Where were th' oppressor's rod, the captive's chain?)

If, then, thy troubled soul has learn'd to dread  
The dark unknown thy trembling footsteps tread;

On Him, who made thee what thou art, depend;  
He, who withholds the means, accepts the end.

\* Nothing is more frequent than this cruel and stupid argument, that they do not feel the miseries inflicted on them as Europeans would do.

† This is not said figuratively. The writer of these lines has seen a complete set of chains, fitted to every separate limb of these unhappy, innocent men; together with instruments for wrenching open the jaws, contrived with such ingenious cruelty as would gratify the tender mercies of an inquisitor.

THE

# African Observer.

ELEVENTH MONTH, 1827.

## SIMONDI'S REVIEW.

The essays on Negro Slavery, are suspended for the present number; their place being supplied by the essay of Simondi, translated from the *Revue Encyclopedique, pour Juillet, 1827*. With those who are conversant with the French literature of the present time, the character of Simondi will ensure a careful perusal of any production which bears his name. Should the editor obtain a copy of the work whose review is here given, it is probable some extracts may enrich the future numbers of this journal.

REVIEW, BY J. C. L. DE SIMONDI,  
*Of A Treatise on Legislation, or an Exposition of the Laws, according to which nations advance, decline, or remain stationary; by Charles Comte, counsellor at the royal court of Paris.*

The space which we are allowed, is too limited to permit the attempt to furnish a complete analysis of this  
Vol. I.—29

stupendous work. From the immense variety of facts which it contains, and of knowledge assumed as possessed, this treatise is scarcely susceptible of abridgment into a small number of pages. Besides, although the object of the author is not jurisprudence, as we might suppose from the title, but rather the laws to which man has been subjected by the hand of nature, we ought to acknowledge our want of the requisite acquirements to authorise an opinion on many of the important questions which he has discussed.

But we flatter ourselves, we shall be able to please our readers, and confer a benefit upon society, by detaching from this great work, one important book, a book which of itself composes a great whole, and on which we ardently desire to fix the attention of our contemporaries. M. Comte has devoted his fourth volume, containing 536 pages to his fifteenth book, which he has entitled, "*Of domestic slavery, consi-*

dered in regard to the circumstances which compose it, and to the effects which it produces on the physical, intellectual, and moral faculties of the divers classes of men, on the wealth, nature of government, and relations of nations to each other. Of some species of associations which approximate to slavery." We regard this book as the most complete, learned and philosophical treatise, that has ever appeared on the subject of slavery and its disastrous effects. Doubtless humanity has inspired numbers of those philosophers, who with such eloquence have assailed this outrageous institution; but hitherto the masters of slaves, have believed themselves able to hold them in contempt; or even to admire them without effect; because, said they, the writer was unacquainted with the circumstances, and the finest theories are often found, upon trial, to be impracticable. But here we have presented to us, the circumstances of all times, and of every region of the globe, with a precision, and authenticity which leave no shadow of doubt, with regard to their agreement or to the conclusions which ought to be deduced from them.

Slavery is so foreign to the manners, the habitudes, and even the recollections of France, that many regard a treatise on the fatal consequences of slavery, in nearly the same light as an exposition of the errors of paganism. All are inclined to regard such a work as relating only to the legislation of some distant American islands, and to the actions of a people with whom we have no community of feeling. They have so often heard the assertion that Christianity had put an end to slave-

ry, they do not attend to the fact, that, in England, slavery was abolished only in 1660, by statute 12, Cha. 24 (Charles II.,) in the rest of western Europe, only in the eighteenth century, and that in eastern Europe it has never ceased to the present day. Yet so far is the cause of the abolition of slavery from being gained, there has been effected, and even under our own eye, a revolution, which, by suddenly elevating to the rank of powerful and civilized states, some vast countries where slavery is established by law, may secure to the countries governed by the possessors of slaves, the most frightful preponderance in the balance of nations, over those in which this species of possession is interdicted. In Russia and Poland, the great mass of the population is held in slavery; this is also the case in nearly half the Austrian states; and the weight of Russia and Austria, have never been greater in the balance of Europe, than in the present time. Slavery is maintained by England, France and Holland, in their colonies dispersed over Asia, Africa and America; and by Spain and Portugal in the remnant of their colonial inheritance. Slavery retains its place in ten of the twenty-two\* United States of America, and these are the most extensive, as well as the most happily situated. In all English In-

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\* Thus the numbers stand in the original. This is a fresh, but not a singular instance of the ignorance often manifested by the learned of Europe, in relation to the political geography of America. With us a well instructed school boy need not be informed, that of the *twenty-four* United States, twelve tolerate the system of slavery.

dia, in all India, tributary to England, slavery is legal, but not very prevalent. Lastly, in nearly all the colossal republics of America, lately belonging to Spain, and in the empire of Brazil, slavery is yet legal, although these new states have adopted, with a view to the future abolition of slavery, some measures, which are incessantly assailed or evaded by the prejudices or the passions of the people. Such are, notwithstanding, the states of which, at this day, Christendom and the civilized world, are composed. Such are the states, which dictate to the rest of the world, the laws by which they shall be governed. Certainly when the sovereign power is in the hands of so many of the possessors of slaves; the time has not yet come, when we can say, that the cause of the abolition of slavery is gained; on the contrary, we ought more than ever to collect facts, to study them, and give them publicity, in order to turn away the regenerated nations from the continuance of so abominable a system.

We shall now endeavour to present to our readers, in the least possible space, the train of M. Compté's ideas; and this we shall generally do in his own words; even when for the sake of brevity, we omit the usual indication of inverted commas. Though slavery is maintained among some civilized nations, it evidently originated among barbarians, in the abuse of victory. The victors, instead of putting the vanquished to death, have believed it more humane, and above all more profitable, to subject them to servitude. M. Compté, as the title of his book indicates, has undertaken to examine, what was the re-

sult of this estimate; and what were the effects of slavery on the physical, moral, and intellectual faculties of the masters, as well as of the slaves. He begins by remarking that the physical organs of the masters, are not deteriorated by the system. The causes which are apparently conducive to the preservation of physical force, are the supply of proper nourishment, sufficient exercise, and the choice of the individuals who are to continue the race. Now the masters of slaves, whether in a state of barbarism or of civilization, appear to unite all these advantages. Their nourishment is always assured; habit, a taste for pleasure, and even policy lead them, in a greater or less degree, to the maintenance of such exercises, as fit them for the chase, or the field of battle; and, unless prevented by national prejudices, they may, by marrying the finest among their female slaves, raise a progeny superior to themselves. This is practised among the Turks and Persians, to the manifest improvement of their race.

But slavery must necessarily vitiate the physical organization of slaves. For they are supplied with food, clothing, and dwellings no further than the masters may choose to grant them. Such exercises as may increase their strength, activity or courage are interdicted, as dangerous to their possessors. The small number of mechanical operations, to which the interest of the master confines them, can develop but a few of their organs. Even this development may be very much restrained; for a forced and excessive exercise, accompanied with want of food, is a cause of weakness, rather

than of strength. When to these considerations we add, that men in a state of servitude, can obtain as companions, such females only, as are least favoured by nature, the others being monopolized by the masters, we shall readily conceive that the servile part of the human race must, at all times, be descending in the scale of nature.

But the development of the physical organization ought to be chiefly considered, in regard to the means which it affords to man, to act upon things, and to provide for his wants. Now slavery arrests this development in the masters, as well as the slaves. The first effect which slavery produces on the masters, is to dispense with those labours upon which man is immediately dependant for the means of subsistence: the second is, to cause them to hold those employments in contempt. Among the ancients, one kind of industry, and one only, exempted those who engaged in it from degradation in the eyes of masters; this consisted of the trade in the human species. One of the ancestors of Octavius, had, they said, dishonoured his posterity, by engaging in merchandise; but Marcus Cato bought and sold men; he is noted for selling his old slaves, whose labours furnished but little profit, and who must soon become useless; and yet Cato was the Censor of morals.

This contempt for manual labour, which they denominated servile, was universal among the Greeks and Romans; it is every where prevalent among slave-holders in the colonies. Even the labourer of Europe, expelled as a malefactor, if he becomes the possessor of a slave, immediate-

ly concludes that he can no longer engage in productive labour without derogating from his nobility. The Hollanders, who, at home, so fully appreciate every kind of useful employment, entertain, at Batavia or the Cape of Good Hope, the most insurmountable contempt and aversion for all industrious occupations. The English, at St. Helena, Jamaica, and in all their colonies, the anglo-Americans in the ten southern states, have in like manner, renounced every species of labour. In Hungary, Poland and Russia, the possessors of slaves never engage in laborious occupations; the labours of agriculture are performed by the serfs; among the Jews alone, can industry be found; for these people being already borne down by contempt, can be no further degraded by rendering themselves useful to the community. Thus, although slavery does not necessarily vitiate the physical organs of those who belong to the superior class, yet its effect is to render their exercise useless in respect to those occupations which are indispensable to the existence of man. These organs are not only rendered useless to the human race, considered in mass, but are useful to their possessors only by the injuries they enable them to inflict on the rest of their species. If, by any great catastrophe, the race of masters should suddenly disappear from a country where slavery prevails, there is no kind of labour which would be necessarily suspended, and no species of wealth whose loss we should have to deplore. Nothing would cease, except the punishments inflicted on the slaves.

Whilst the formation of industri-

ous habits is prevented among the masters, by their contempt of labour; the same result among the slaves, is produced by the brutalizing tendency of their condition. The slaves of our time, are incapable of every employment which would require intelligence, taste, or invention. It is probable that the noble works of Roman antiquity, were executed by men, who had been formed to industry while free, and whom the fortune of war had reduced into slavery; for, when the Romans, having reduced all the surrounding nations among whom industry was maintained, were no longer able to enslave any but barbarians, all the arts, and every species of industry rapidly declined among them, and they themselves relapsed into barbarism. We next examine with our author, the effect produced by slavery on the intellectual faculties, either of masters or slaves. (chap. iv. p. 54.)

With respect to the masters, we must distinguish between those who are in the possession of political freedom, and those who are deprived of it: the former may fully develop such of their intellectual faculties, as enable them to act upon their equals, whilst those by means of which they should act upon inanimate nature, will be suffered to lie dormant. Among the latter class of masters, neither species of intellectual faculties will be unfolded. Man, from the indolence of his nature, will prefer force to argument, authority to persuasion, whenever he has the power to choose; but the citizen of the free states of antiquity, being unable to command his equals as he commanded his slaves, was compelled to learn to persuade them. He therefore, stu-

died man, his equal, upon whom he must act by persuasion; but he neglected the study of nature, upon which he acted only by the arms of his slaves. The means of saving a little of their toil, appeared to him a useless discovery; and all the applications of science to the arts of common life, were viewed as degradations. When the citizen lost his political freedom, he was no longer interested in the study of man, and as little as before in the study of nature; he renounced a labour to which he had no inducement; the sciences were extinguished, and a return to barbarism was the consequence.

The English are the only European colonies, in which the mother country has permitted the colonists to acquire any portion of political power; and these are the only ones which they have felt the necessity of those intellectual developments, which furnish the only means, compatible with political freedom, of acquiring authority over their equals, the powers of persuasion and argument. In the other colonies, where the metropolitan authority governs with absolute power, the masters, knowing no other alternatives, than to command and to obey, exhibit the obtuseness of intellect, which belongs alike to despots, and to slaves; with an exception, however, in favour of those who have been educated in the mother country, far removed from the sight and influence of slavery. Our author proves, by facts, by the testimony, minutely and circumstantially given, of numerous travellers, the contempt for every species of instruction, predominant among the Hollanders, at the Cape of Good Hope, the French colonists

of Louisiana, and all the colonial dependencies of Spain, where the number of slaves is great.

In the United States, as the holders of slaves are in possession of political freedom, their intellectual powers are cultivated and improved. But the citizens of the southern states cultivate those faculties only which are capable of acting upon *men*; the citizens of the northern states wish to act both on men and things, and between these objects, their energies are divided. Thus, the southern states have furnished, perhaps, a greater number of men competent to hold the reins of government.—Washington, qualified to lead an army, or to direct the concerns of government, was born in a land cultivated by slaves; but Franklin, destined to enlighten the world, and to enlarge the power of man over the operations of nature, could arise, only in a country where the arts were exercised by the hands of free-men.

In regard to the slaves, the immediate effect of slavery, is to prevent all intellectual improvement. Thus, in the American colonies, where all the manual labour is performed by slaves, the owners are obliged to import from countries where slavery is not admitted, all those articles which require dexterity to produce them. The masters may employ their slaves in the felling and transportation of timber; but if that timber is to be formed into ships, it must be sent to a country where the labourers are free. Slaves may cultivate the ground, and raise grain, but to convert that grain into flour, it must be sent to places where workmen, capable of erecting mills, can be found.

Slaves are not capable of exercising all the care which even agriculture requires. They seldom possess sufficient care or skill to cultivate pulse or fruit trees. Their agriculture is in the most barbarous condition, so that the masters import from England the coal which they require for fuel, though they have forests at six miles distance. They even sometimes import the bricks of which their houses are built.

The causes of the unskilfulness of slaves, in every kind of occupation, are easily perceived. The hand can execute, with ease and accuracy, only what the mind conceives with clearness. Our physical organs are nothing but the instruments of our intellect; and the mind, when its faculties have not been developed, can direct but imperfectly, the organs which are subject to its control.—Now in countries, where slavery is established, the masters are not only incapable of developing the intellects of their slaves, but they generally have a natural propensity to prevent their development. The demand for security, more powerful than the passion of avarice, obliges them to hold the servile class in a state approaching as nearly as possible, to that of brutes. Robin reports,\* that a French colonist in Louisiana, frequently asserted, that he feared nothing so much as negroes with cultivated minds. He said, that his utmost efforts were used to restrain the enlargement of their understandings, and that these efforts were mostly successful. The opinions of the colonists on this subject, are similar to those formerly entertained by the

\* Travels in Louisiana, p. 197.

Romans. Cato, the censor, saw nothing more dangerous than intelligent slaves. He required his own to sleep whenever they were not employed at their labours; so fearful was he, that they might learn to think.\* The anglo-Americans of the southern states, though the most intelligent and humane slave-holders of the present day, still reject with dismay, the idea of teaching their slaves to read. The colonists who are subject to the British government, behold with no less alarm, the exertions which many in the mother country are making, to enlighten the minds of their slaves, and diffuse among them, a knowledge of the christian religion.†

But if slavery causes the masters to hold industry in contempt, and renders the slaves incapable of it, has not the nation a resource in the class who are neither masters nor slaves? No; for in a country where slavery is predominant, a man who is neither master nor slave, unless he chooses to 'carry his industry to some other place, must remain idle or be despised. If freemen sometimes consent to labour, it is only so far as a superior salary compensates for the contempt attached to such occupations; and even then, a free labourer, who has accumulated a little property, either purchases slaves, or quickly disappears.‡ The state of the prole-tairs, in the Roman Republic, excluded from every useful employment, either by contempt or by the competition of the slaves of patri-cians, is a remarkable and appalling

example of the degradation and misery to which the part of the nation who are not classed either among masters or slaves, are reduced by the presence of slavery.

Such are the effects of slavery on physical organization, on industry, and intelligence. Its effects on manners are still much more degrading. One of the first moral consequences which slavery produced among the Romans, was a love of idleness. From the absence of intellectual and physical activity, and from the possession of wealth acquired by pillage, arose an immoderate passion for sensual enjoyments. The gluttony and voracity of the great, were carried to an extent, of which, at this day, we can form no idea. The earth was ravaged to support their extravagance, and the riches of a province were swallowed at a meal. The house of a grandee, containing a great number of slaves of both sexes, the natural effects of this circumstance, were soon manifested in the manners of the master. The Roman history furnishes some signal examples of the most scandalous depravity. Two of them are noted by M. Comte, in the brilliant period of the republic: the condemnation of an hundred and sixty wives of senators, who were convicted of a plot to poison their husbands, because they had neglected them for the society of their slaves; and a combination, too shameful for recital,\* discovered in the year of Rome, 539.

The criminals, of whom the great-

\* Plutarch's Life of Cato.

† See the debates in the English house of commons, June 23, 1825.

‡ Rochefoucauld's Travels in the United States.

\* This is not a translation of Simondi's words, he has given us an image of depravity, which my readers will probably excuse me from exhibiting in an English dress.



or part were females, amounted to more than seven thousand; and more than half of them were condemned to death. We regret that we cannot follow the author, while he exhibits the Roman servitude progressively increasing in severity as the wealth and luxury of the masters increased; the quantity of food allowed to the slaves diminishing, and their punishments becoming more atrocious; the revolts, servile wars, private revenge of the slaves thickening the dangers both of the individual masters and of the state at large.

Whenever men are condemned to labour without relaxation and without reward; when they are not masters of their own actions; and are continually exposed to contempt, to insult, and to arbitrary punishments, death without torture, loses its terrors. To render it terrible, it must be accompanied by torments, which by their intensity, overbalance the protracted sufferings of life. Thus, the Romans when they punished their slaves with death, accompanied the execution with inflictions calculated to impress dismay on the minds of men, who enjoyed but little that could render life desirable. These inflictions could be regulated only by the caprice of the masters; for, slaves, in the eye of the law, were regarded merely as property. The punishment generally adopted, was to lacerate them with rods, and afterwards nail them to a cross. The torments of an individual thus crucified, sometimes continued many days, before they were terminated by death, unless the executioner, moved by pity, accelerated its approach.

The writers who have given a description of this punishment, do not

inform us, that females, or even infants of the most tender age, were exempted from its infliction. All were condemned to perish, when the master died by an unknown hand.\*

#### SCRIPTURAL RESEARCHES ON SLAVERY.

*Continued from page 209.*

We need but compare what is said (Deut. xxi. 15—17) respecting polygamy, with Levit. xviii. 18, Malac. ii. 14—16, Matt. xix. 9, Rom. vii. 3; and what is said (Deut. xxi. 10—14) respecting humbling a fair captive, with Ex. xx. 14, Deut. vii. 3, Matt. xix. 9, and 1 Cor. vi. 9; to be satisfied that these cases are of the same kind—that although not punishable by the judges, yet they were violations of the moral law, and sinful in the sight of God—and like divorce, were thus left on account of the hardness of their hearts.

That the same was the case with slavery, so far as at all tolerated, except as a punishment for crime, is proved by the judgments on Egypt on account of it—the repeated charges not to afflict and oppress others as the Egyptians had oppressed them—the various limitations and countervailing statutes should they ever fall into the practice, and the awful visitations of wrath on that people in the time of Jeremiah (xxxiv.) for this very sin.

We need but look at the statutes by which, in case they fell into the practice of slavery, the evil was limited if not totally prevented, to be satisfied, as appears to me, that if observed and enforced by the judges, nothing that

\* This barbarous law was executed in one instance, during the reign of Nero. Pedanius Secundus, prefect of Rome, was murdered by one of his slaves. Four hundred slaves, belonging to the family, were condemned to death; but the opposition of the people was such, that the Emperor ordered the execution to be effected under a military force. Tacitus An. Book 14, sec. 45. No other instance in Roman history, is recollected.

deserves the name of slavery, could have been found among that people.

"He that stealeth a man and selleth him, or if he be found in his hand, he shall surely be put to death." Ex. xxi. 16. Stealing has ever been a common mode of bringing persons into slavery. A large part of the Africans brought to this country were stolen. It was made a capital offence even to hold one thus deprived of his liberty. "If he be found in his hand he shall surely be put to death."

"If a man smite the eye of his servant, or the eye of his maid, that it perish, he shall let him go free for his eye's sake; and if he smite out his man servant's tooth, or his maid servant's tooth, he shall let him go free for his tooth's sake." Ex. xxii. 26—27. This law was designed to prevent severe treatment, by giving freedom where undue severity was used.

"Thou shalt not deliver unto his master the servant that is escaped from his master to thee: he shall dwell with thee, even among you in that place which he shall choose, where it liketh him best; thou shalt not oppress him." Deut. xxiii. 15—16. That this included fugitive slaves from the neighbouring nations, we readily admit; but we are not authorized to limit it to them. Israel were themselves fugitive slaves (Ex. xiv. 5.) This law spoke to their own case, and in its true spirit went to condemn the forcibly detaining any in slavery, as the Egyptians had detained them. We find David receiving fugitives (1 Sam. xxii. 2) whom Nabal calls runaway servants or slaves (1 Sam. xxv. 10.) Not only was David a prophet, but the prophet Gad was at that time with David, and spoke to David in the name of the Lord (1 Sam. xxii. 5.) Not one intimation is given that David did wrong.

"Ye shall hallow the fiftieth year, and proclaim liberty throughout all the land to all the inhabitants thereof." Levit. xxv. 10. This put a complete end to slavery every fifty years. God, by Isaiah, (lviii. 6) in telling Israel what kind of a fast pleased him, may refer to this—to undo the heavy burdens—to let the oppressed go free—to break every yoke. He does particularly in that beautiful prediction respecting the Messiah, (lxi. 1) who

was to "proclaim liberty to captives, and the opening of prisons to those that were bound, and to proclaim the acceptable year of the Lord."

There are however several statutes, not yet mentioned, which, taken together, appear to me most clearly to have prevented slavery, properly so called—prevented any from being held in servitude longer than six years, unless with their own consent.

1. It was clearly the intention of the law, and expressly provided by statute, that all bought servants, and those born of them while in servitude, should be circumcised and united to the visible people of God.

"He that is born in thy house, and he that is bought with thy money, must needs be circumcised, and my covenant shall be in your flesh for an everlasting covenant; and the uncircumcised man child, whose flesh of his foreskin is not circumcised, that soul shall be cut off from his people: he hath broken my covenant." Gen. xvii. 13—14. "This is the ordinance of the passover: There shall no uncircumcised person eat thereof: but every man servant that is bought with money, when thou hast circumcised him, then shall he eat thereof. A foreigner or a hired servant shall not eat thereof." Ex. xii. 43, 44, 45. "The man that is clean and is not in a journey, and forbearth to keep the passover, even the same soul shall be cut off from his people." Num. ix. 14. No one will doubt, we think, that the above statute included captives, who were held in servitude or slavery; as the Midianites, Num. xxxi. 18, and those referred to in the direction in Deut. xx. 14. On this statute I have but a remark or two to make.

1. None were considered as belonging to God's people, who were not circumcised, and kept not the passover. They were cut off, even if their parents were of God's visible people.

2. God's people might entertain an uncircumcised visiter, or they might employ him as a hireling; but not as a bought servant or slave. In the case of these, they were to circumcise them—in other words, they were limited as respected slaves, to those who agreed to be circumcised, and make

a profession of the true religion. The repetition of this command respecting bought servants—the injunction, *they must needs be circumcised*—the distinction laid down between the foreigner or hired servant and the *bought*, all go to show that the law intended that they should not retain as members of their families, any who did not belong to God's visible people. It will not be supposed that they were forcibly to circumcise adult servants, and oblige them to profess the true religion; and some time no doubt would be allowed to instruct a bought servant in the true religion, and induce him to embrace it; but it appears clearly the intention of the law, that they were not to retain those who refused to profess the true religion. They were to be separated from that people, and not retained as members of their families.

3. The effect of being circumcised and keeping the passover, was, that they were fully united to God's visible people, belonged to the congregation of the Lord, and were bound to perform all the duties, and were entitled to all the privileges, of God's covenant people. Circumcision was the token of the covenant, and made those who received it debtors to do the whole law (Gal. v. 3;) and was, at the same time, evidence of their being the children of the covenant, the seed of Abraham, and heirs according to the promise. Gal. iii. 29.

The effect of circumcision in the case of the stranger, when the rule is laid down, is clearly and repeatedly stated. "He shall be as one born in the land. One law shall be to him that is home born, and unto the stranger that sojourneth among you." Ex. xii. 48, 49. Num. ix. 14; xv. 15, 16.

In the sense of the law there was no difference between the native Israelite and those of other races who were circumcised and joined to the Lord. They became one people, and together formed the congregation of the Lord, the holy people, the people of the covenant.

The prophets were no doubt the best expounders of the law. The following are selected from a multitude of passages that relate to this point. Isaiah, lvi. 3—7: "Neither let the son

of the stranger that hath joined himself to the Lord speak, saying, the Lord hath utterly separated me from his people: neither let the eunuch say, behold, I am a dry tree. For thus saith the Lord unto the eunuchs that keep my Sabbaths, and choose the things that please me, and take hold on my covenant, even unto them will I give in mine house and within my walls, a place and a name better than of sons and of daughters: I will give them an everlasting name that shall not be cut off. Also to the sons of the strangers that join themselves to the Lord, to serve him, and to love the name of the Lord, to be his servants, every one that keepeth the Sabbath from polluting it, and taketh hold of my covenant; even them will I bring to my holy mountain, and make them joyful in my house of prayer: their burnt offerings and their sacrifices shall be accepted upon mine altar." Ezek. xlvii. 22: "And it shall come to pass, that ye shall divide it (the land) by lot for an inheritance unto you, and to the strangers that sojourn among you, which shall beget children among you, and they shall be as born in the country among the children of Israel; they shall have inheritance with you among the tribes of Israel. And it shall come to pass, that in what tribe the stranger sojourneth, there shall ye give him his inheritance, saith the Lord God."

The complete incorporation with Israel of the circumcised persons of other races, taught in these passages, is farther confirmed by many cases of families and individuals mentioned in the Scripture. Moses' father-in-law was invited to join himself to Israel, and assured that his family should share equally with Israel in all the good things God would give Israel. Num. x. 29. And we find (Judges i. 16) that he complied with the invitation, and was numbered in the genealogies of Judah, to which tribe they joined themselves. 1 Chro. ii. 55.

Caleb, one of the heads of Judah, (Num. xiii. 3—6) although placed in genealogies of Judah, (1 Chro. ii. 9) into which tribe he or his father had probably married, was the son of a Kenezite (Joshua xiv. 6—14; comp. Gen. xv. 19.) He inherited. Rahab

the harlot, who married the prince of the tribe of Judah, (Joshua vi. 25; Matt. i. 5) was, with her father's family, incorporated with Israel, and no doubt inherited with them. Ruth, the Moabitess, on taking God for her God, (Ruth i. 16) held the property of her husband and husband's brother, and was married as a sister by Boaz, according to the requirement of the Levitical law (iv. 10—13.) Obed-edom, the Gittite, was united to the tribe of Levi, and with his sons were porters, (1 Chro. xiii. 13, 14; 1 Chro. xxvi. 4, 5, 15.) Jether, the Ishmaelite, married into the family of Jesse, and is called an Israelite, (1 Chro. ii. 17; 2 Sam. xvii. 25.) Jarha, the Egyptian, (1 Chro. ii. 35); Ithmah, the Moabite, (1 Chro. ii. 46); Zelek, the Ammonite, (2 Sam. xxiii. 37); Ittai, the Gittite, (2 Sam. xviii. 2); Uriah, the Hittite, (1 Chro. xi. 41); Ahimelech, the Hittite, (1 Sam. xxvi. 6); with others that might be mentioned, held such offices in Israel, that we must, as appears to me, admit that they were circumcised and incorporated with that people. The law did not allow a stranger, an uncircumcised, a heathen, to rule over them, or be a ruler among them. Deut. xvii. 15.

Now it appears to me clear, that the statute (Ex. xxi. 12) not allowing a Hebrew to be held in bondage more than six years, was intended to embrace all God's visible covenanted people. I see no reason why we should make a distinction between those descended from the patriarchs according to the flesh, and those of other races, who joined themselves to the Lord, and took hold of his covenant. It appears to me, that it was the design of the law that there should be no distinction. It says expressly, that they should be *as those born in the land*—Israelites—and God by his prophet, (Isaiah lvi. 3—7) denies that they were separated from his people.

(To be continued.)

DEBATES ON THE SLAVE TRADE.

In the yearly meeting of Friends, held in Philadelphia in 1783, an address to the then existing congress

was agreed upon, calling the attention of that body to the subject of the African slave trade; expressing a fear that, peace being then restored, that iniquitous traffic might be resumed; and earnestly soliciting the interference of congress to discourage and prevent so obvious an evil. This address was signed by 535 Friends. The memorial, when presented was treated with respect, but that congress, not being vested with the powers of legislation, declined the promotion of any public remedy for this enormous violation of the rights of humanity. In the autumn of 1789, the same meeting prepared a petition to the newly organized government of the United States, reviving the memorial of 1783, pressing this subject upon their attention, and earnestly requesting them to exercise such power as they possessed, toward the abolition of this destructive commerce.

This memorial, and two others directed towards the same object, one of which bore the signature of Benjamin Franklin, as president of the Pennsylvania society for the abolition of slavery, were presented to Congress, during the session of 1789—90, and referred to a committee of seven members. That committee offered a report consisting of seven resolutions chiefly expressive of the powers, and the limitation of the powers of congress, in relation to slavery and the slave trade—and declaring, that in all cases to which the authority of congress extended, they would exercise it for the humane purposes of the memorialists, so far as they could be promoted on the principles of justice, humanity and good policy. This report being un-

der consideration in the committee of the whole house, a motion was made to amend the report, so as to express an opinion "that the several memorials propose to this house, a subject, on which its interference would be unconstitutional, and even its deliberations highly injurious to some of the states. In support of this motion, — Jackson of Georgia, made a speech of which the following is a summary.

"Slavery is an evil habit—but in some situations, such as S. Carolina and Georgia were in, it was a necessary habit. Large tracts of fertile lands were uncultivated for want of population. The climate was unfavourable to northern constitutions. What is to be done with this land? Is the rice trade to be banished from our shores? Will congress give up the revenue arising from it? And for what? To gratify the supposed feelings, the theoretical speculations or humanity of the Quakers? The Africans were ruled by despots in their own country. All the people are bound to appear in the field when required by their sovereigns. The slaves there are not protected by law; but here, in addition to the ties of humanity, the law interposes in favour of the aged and decrepid. With respect to emancipation, What is to be done with the slaves when freed? They must be incorporated with the white citizens or colonized." Here Jefferson's Notes are cited to show the difficulty and danger of incorporation. "Though the Quakers may choose to intermarry with them, there are others among us, who will choose to preserve their race unsullied. Where will you colonize them? To send them to their own country would be to exchange one slavery for another. If we colonize them at home, will not the danger of their natural dispositions exist? Would they be able to support a government to advantage? The Indians would either destroy or enslave them. What people ever engaged in the slave trade, have abolished it? Eng-

land dares not touch it. Shall we undertake it, to gratify a volunteering society of Quakers? for the gratification of a man,\* who, trembling under the lash of an evil conscience, to atone for his numerous hoard of former sins, emancipated his negroes? I call it not an act of humanity. It was a death-bed repentance; the fear of torments in another world, and the terrors of eternal damnation. Christianity is not repugnant to slavery. This may be seen by several passages. The case of Onesimus is one. The apostle did not require Philemon to set him free. Romans 13, 1. Ephes. 6, 5. Colos. 4, 1. 1 Tim. 5—1, 2. Titus 2, 9—10. &c. Neither was slavery prohibited by Moses. Justice forbids interference. I hold one thousand acres of rice land on the Altamaha. Importations being expected, this land is worth three guineas an acre; take away this expectation and you destroy the value; restrict importations, and you diminish that value one half. Numbers in S. Carolina and Georgia, are in that predicament. How are they to be compensated? Have the Quakers a purse sufficient? and are they willing to carry justice and humanity so far as to give it? Have congress a treasury sufficient for this purpose?"

A few days after the publication of this speech, the following appeared in the public prints. It is evidently an ingenious parody; understood to be from the pen of Dr. Franklin, and now printed with his essays.

"ON THE SLAVE TRADE.

"Reading in the newspapers the speech of Mr. Jackson in congress, against meddling with the affair of slavery, or attempting to mend the

\* Here the orator had the politeness to name, as the object of these coarse invectives, a Friend then present, who early in life had emancipated his slaves, and whose general philanthropy had induced Brissot de Warville to bestow on its possessor the appellation of an angel of peace.

condition of slaves, it put me in mind of a similar speech, made about an hundred years since, by Sidi Mehemet Ibrahim, a member of the Divan of Algiers, which may be seen in Martin's account of his consulship, 1687. It was against granting the petition of the sect, called Erika or Purists, who prayed for the abolition of piracy and slavery, as being unjust. Mr. Jackson does not quote it; perhaps he has not seen it. If, therefore, some of its reasonings are to be found in his eloquent speech, it may only show that men's interests operate and are operated on, with surprising similarity, in all countries and climates, whenever they are under similar circumstances. The African speech as translated, is as follows:

"Allah Bismallah, &c. God is great and Mahomet is his prophet. Have the Erika considered the consequences of granting their petition? If we cease our cruises against the Christians, how shall we be furnished with the commodities their countries produce, and which are so necessary for us? If we forbear to make slaves of their people, who, in this hot climate, are to cultivate our lands? Who are to perform the common labours of our families? Must we not then be our own slaves? And is there not more compassion and favour to be shown to us Musselmén, than to those Christian dogs? We have now above fifty thousand slaves, in and near Algiers. This number, if not kept up by fresh supplies, will soon diminish, and be gradually annihilated. If, then, we cease taking and plundering the infidel ships, and making slaves of the seamen and passengers, our lands will become of no value, for want of cultivation; the rents of houses in the city will sink one half; and the revenues of government, arising from the share of prizes, must be totally destroyed. And for what? to gratify the whim of a whimsical sect, who would have us not only forbear making more slaves, but even manumit those we have. But who is to indemnify their masters for the loss? will the state do it? is our treasury sufficient? will the Erika do it? can they do it? or would they, to do what they think justice to the

slaves, do a greater injustice to their owners? And if we set our slaves free, what is to be done with them? Few of them will return to their native countries; they know too well the greater hardships they must then be subject to. They will not embrace our holy religion—they will not add to our manners: our people will not pollute themselves by intermarrying with them. Must we then maintain them as beggars in our streets? or suffer our property to be the prey of their pillage? For men accustomed to slavery, will not work for a livelihood unless compelled. And what is there so pitiable in their present condition? Were they not slaves in their own countries? Are not Spain, Portugal, France, and the Italian states governed by despots, who hold all their subjects in slavery without exception? Even England treats her sailors as slaves; for they are, whenever the government pleases, seized and confined in ships of war, condemned not only to work, but to fight for small wages, or a mere subsistence, not better than our slaves are allowed by us. Is their condition then made worse by their falling into our hands? No; they have only exchanged one slavery for another; and I may say a better: for they are brought into a land where the sun of Islamism gives forth its light, and shines in full splendour, and they have an opportunity of making themselves acquainted with the true doctrine, and thereby saving their immortal souls.—Those who remain at home have not that happiness. Sending the slaves home, then, would be sending them out of light into darkness.

"I repeat the question, what is to be done with them? I have heard it suggested, that they may be planted in the wilderness, where there is plenty of land for them to subsist on, and where they may flourish as a free state. But they are, I doubt, too little disposed to labour without compulsion, as well as too ignorant to establish a good government: and the wild Arabs would soon molest and destroy, or again enslave them. While serving us, we take care to provide them with every thing; and they are treated with humanity. The

labourers in their own countries, are, as I am informed, worse fed, lodged, and clothed." The condition of most of them requires no farther improvement, and their lives are in safety. They are not able to be impressed for slaves, and are forced to cut one another's Christian throats, as in the wars of their own countries. If some of the religious mad bigots, who now tease us with their silly petitions, have in a fit of blind zeal freed their slaves, it was not generosity, it was not humanity, that moved them to the action; it was from the conscious burthen of a load of sins, and hope, from the supposed merits of so good a work, to be excused from damnation. How grossly are they mistaken in imagining slavery to be disavowed by the Alcoran! Are not the two precepts, to quote no more, "Masters treat your slaves with kindness," "Slaves, serve your masters with cheerfulness and fidelity," clear proofs to the contrary? Nor can the plundering of infidels be in that sacred book forbidden; since it is well known from it, that God has given the world, and all that it contains, to his faithful Musselmén, as fast as they can conquer it. Let us then hear no more of this detestable proposition; the manumission of Christian slaves, the adoption of which would be depreciating our lands and houses, and thereby depriving so many good citizens of their property, create universal discontent, and provoke insurrections, to the endangering of government, and producing general confusion. I have, therefore, no doubt, that this wise council will prefer the comfort and happiness of a whole nation of true believers, to the whim of a few Erika and dismiss this petition."

"The result was, as Martin tells us, that the Divan came to this conclusion; "That the doctrine, that the plundering and enslaving the Christians is unjust, is at best problematical; but that it is the interest of this state to continue the practice is clear: therefore, let the petition be rejected." And it was rejected accordingly."

#### REMARKS ON THE NATIVE RACES OF AFRICA.

##### *Distribution of the African nations.*—

The native races of Africa may be divided into three classes; the first, consisting of tribes, who, in their physical characters, resemble the people of southern Europe; the second, of red or copper coloured nations; and the third, of woolly haired races, generally black or tawny. In each of these departments, there are deviations from the general character. Some tribes, included in the first, have a dark complexion approaching to black; the red or copper hue of the second class, also passes into a very deep shade; while among the woolly haired races, there are some whose colour is comparatively light. The first of these departments consists chiefly of nations inhabiting, in scattered tribes, the northern region of Africa, who appear to be connected with each other in descent, and to be the remains of the ancient Libyans. The second class includes a variety of red, or copper coloured tribes, in the eastern parts, as the Nubæ or Berberins, the Bejas and their descendants the Ababde and the Besharein, and some of the native tribes of Abyssinia; also in the western regions of Africa, the Foulahs or the Foulas, in the high tracts, where the rivers of Guinea take their rise, as well as the Felatahs, who, issuing from the same quarter, have overrun the central countries of Soudan. The red nations do not appear to constitute one particular race, but are unconnected with, and often situated at remote distance from each other. The third division comprises all the woolly haired tribes; the negroes of Guinea, and of the interior, the Kaffers and the Hottentots.

*Remains of the Libyan race.*—The northern region of Africa in remote times, and before the arrival of Sidonian colonies, appears to have been inhabited by the various tribes of one extended race, by the Roman's termed Afri, and by the Greeks, Libyes. To this stock belonged the Mauri, the Numidix, the Getuli, and other nations, who were partially subdued by the arms of Carthage, and after-

wards of Rome. The Phœnician language seems never to have been adopted by the native Libyans; the Roman, and in later times, Arabian conquerors spread their idioms and manners among the inhabitants of the towns and of the coast, but in the interior and mountainous tracts, there are still tribes, whose dialects, entirely distinct from the Punic, the Latin, and the Arabic, and yet remarkably similar to each other, afford reason for believing the ancient speech, and the aboriginal race of northern Africa, have survived all the revolutions which that country has undergone.

In the northern parts of the chain of Atlas are the abodes of the Berbers, or Berbers, tribes of hardy persons, who live in huts, or in caverns, among the hills, and support themselves chiefly by pasture and tillage.

The Shilhas inhabit the southern branches of Atlas, living often in villages or towns. Their language, which they term *Amazigh* differs from that of the Berbers, but appears to be a cognate dialect, and the people are a branch of the same stock.

The Kabyles, who appear to be intimately connected with the Berbers, inhabit the higher parts of the Algerine and Tunisian territories, living in *dashkras*, or mountain villages, composed of huts which resemble the magnalia of the old Numidians. They term their language Showiah, The Kabyles, as we learn from Dr. Shaw, are in general of a swarthy colour, with dark hair, but those who inhabit the mountains of Aureas, though they speak the same idiom, are of a fair and ruddy complexion, and their hair of a deep yellow.

The tribes above mentioned are inhabitants of mountainous tracts, where they have preserved their language from remote ages, perhaps even from that time when the chain of Atlas, surrounded by waters which covered the Zahara, formed a lofty island, and was fancied by early navigators to contain the pillars of heaven. The Libyans were perhaps, in insular race; by them several of the Mediterranean islands are said to have been first peopled, and from the same stock we know that the

Canary islands derived their inhabitants, the celebrated Guanches, who now exist only in their curiously desiccated mummies. But at present the most numerous tribes, sprung from the Libyan race, are scattered through the African desert.

The inhabitants of Siwah and Angila are found to speak a dialect which nearly resembles that of the Shilhas, of Mount Atlas, and thus the extension of one idiom is proved, through the whole northern region of Africa, from the Western Ocean to the confines of Egypt.

Two great nations of the desert were discovered by Hornemann, the Tuaric and the Tibboo. The idiom of the Tuaric is the same as that of Siwah. The Tibboo are a distinct nation, always at enmity with the Tuaric. They speak a different language, which however has some coincidences, indicative perhaps of a remote affinity with that of the Tuaric.

The whole of the Tuaric speak one language, though divided into a number of tribes, or nations. The chief of these tribes are the Kolluvians in the south, who conquered Agades; the Tagama, in the neighbourhood of Soudan and Tombuctoo, who are Pagans; and the Hagara and Matkara. There is also a tract of country bordering on Soudan called, *Tuat*, inhabited by the Tuaric. They are a wandering people, and are every where engaged in committing depredations and carrying off slaves from the negro countries.

The Tibboo are divided into six tribes, who occupy the country east of Fezzan, and between Fezzan and Bornou. Their affinity to the Tuaric is not altogether certain; but it appears probable, from some coincidences in their language, and from the general similarity of their manners.

*Physical characters of these tribes.*—The various tribes of the Berbers and Tuarics, though of one nation, display great diversities in their complexion. They are in general a fine handsome race of people, with straight hair, and European features. The Tuarics of the desert near Fezzan are as white as Europeans, in those parts of their bodies which are cover-



ed, but in the parts which are exposed, of a dark brown. The Kolluvians are of different colours; many of them are black, but their features are not like those of negroes. The Hagara and Matkara are yellowish like Arabs; near Soudan there are tribes entirely black. The Tagama, however, near Tombuctoo are white.\* There is another tribe also near Bornon, who are as white as the Moors on the northern coast.

The Tuaric tribes in the deserts between Tripoli and Fezzan are thus described by Captain Lyon. "They are the finest race of people I ever saw; tall, straight and handsome, with a certain air of independence and pride, which is very imposing. They are generally *white*, that is to say, comparatively so; the dark brown of their complexion only being occasioned by the heat of their climate. Their arms, or bodies, when constantly covered, are as white as those of many Europeans. Their costume is very remarkable, and they cover their faces as high as the eyes, in the manner of women on the sea coast."†

The same intelligent author has given us the following account of the Tibboo: "The Tibboo females are light and elegant in form; and their graceful costume, quite different from that of the Fezzaners, is well put on. They have aquiline noses, fine teeth, and lips formed like those of Europeans: their eyes are expressive, and their colour is of the brightest black; there is something in their walk and erect manner of carrying themselves, which is very striking. Their feet and ankles are delicately formed, and are not loaded with a mass of brass or iron, but have merely a light anklet of polished silver or copper, sufficient to show their jetty skin to more advantage; they also wear red slippers." "Their hair is plaited on each side in such a manner as to hang down on the cheeks like a fan, or rather in the form of a dog's ear." The Tibboo women, do not, like the Arabs, cover their faces; they retain

their youthful appearance longer than the latter.‡

The Tibboo of Bergoo seem to approach the negroes in their physical characters. They conceal themselves from the Arab hunters by kneeling on the ground, which is of the same colour as their skins, being black basalt. "They are, however," says Captain Lyon, "of a lighter complexion than other negroes, and are handsome people. The females braid their hair, which is *not very woolly*, in long plaits." Hornemann described the Tibboo as "not quite black." He adds, that "their growth is slender; their limbs are well turned; their walk is light and swift; their eyes are quick; their lips thick; their nose is not turned up, and large; their hair is less curled than that of the negroes." They are a shrewd and intelligent, but treacherous people. Nothing has been discovered which leads to any satisfactory information respecting the affinities and ancient history of the Berber race. They appear to be quite distinct from the Barabras or Berberins of the Upper Nile, with whom they were formerly confounded. Professor Vater has compared some vocabularies and the grammatical forms of the Berber language, with those belonging to other idioms in northern Africa, and in Asia. It appears that there are some marks of connexion between it and the Semetic dialects, which Vater is disposed to ascribe to the connexion of ancient Punic and other Phœnician colonists with the people of Mauritania; and partly to a later intercourse with the Moggrebyn Arabs. According to Vater, it has greater coincidences with the Amaaric, particularly in some forms of the verb substantive.—*Prichard*.

#### REVIEW OF BARCLAY.

(Continued from page 218.)

From the foregoing summary we perceive that the improvements, in the situation of the West Indian slaves, which have increased so

\* Hornemann, page 109.

† Captain Lyon's travels in Africa, p. 109.

‡ Ibid, page 224, 227.

conspicuously the comforts of their lives, are principally the work of the last few years. However anxious our author appears to convince his readers, that humanity is the presiding genius of the present day, he gives up with little ceremony or apparent regret, the claims which those who have left the stage may have made to the guardianship of the same tutelary power. I have no wish to deny, that even slavery, harsh and repulsive as it continues to be, has been softened by the refinements, of the present age. This is unquestionably the case both in the British West Indies and the American States. But it is curious to observe, that to whatever period we direct our inquiries, the advocates of slavery still refer us to a former day, for instances of cruelty in the general treatment of slaves—

But where the extreme of vice was ne'er agreed,  
Ask where's the North? at York 'tis on the  
Tweed;

In Scotland at the Orkneys; and there  
At Greenland, Zembla, and the Lord knows  
where.

When the controversy respecting the slave trade, occupied the attention of the British nation, the treatment of the slaves then held in the islands became a subject of inquiry. Numerous witnesses, examined by the House of Commons, gave, professedly upon their own personal observation, accounts of the general humanity and kindness of the masters, little less flattering than what we find in the pages of Barclay. As the reports of evidence given before that body, are probably in few hands on this side of the Atlantic, I shall extract a few passages for the information of my readers. Gilbert Franklin, Esq. a native of England, who

VOL. 1.—31

had resided upwards of twenty years chiefly in the islands of Antigua, Barbadoes, St. Kitts, Tobago, and Jamaica, stated, “in *general* it may be said that negroes are well treated, well lodged, well clothed, and well fed; well attended in sickness, and supplied with medicines, and even the incurable, with every necessary. This, the interest of the owner requires, even if not possessed of humanity. Neglect of such negroes would dispirit a gang, and particularly affect any relations and friends they might have on the estate. In the ceded islands, and where land is plenty, [plentiful] they cultivate large tracts for their own benefit, and in such cases neither require nor receive large allowances of what are called pound provisions.” “The allotment of land is such that an industrious negro will be enabled not only to supply himself, but to dispose of such a quantity of poultry, pork, and goat's flesh as to enable him to clothe himself, his *wives*, and his children very handsomely. If his master opposed his disposition of that property, it would probably occasion an insurrection on the plantation.” “Three-fourths of all the poultry or pork used by the planter, are bought from his own or other people's slaves.” The crimes for which punishment, of any degree of severity is inflicted, are generally desertion, breaking open stores, stealing rum, &c. the punishments then consist of from twenty to forty “lashes, seldom more.” “Repeated burglaries have received no other punishment than a whipping, less severe than a soldier suffers for small offences.” “He does not suppose a labouring man in Europe would gain

his bread if working no harder than a negro." In the plantations their punishment is a slight whipping or confinement in the stocks,—for slight offences, such as not coming in time to their work,\* they are generally struck over their clothes." A manager's kind behaviour to his negroes, so as to gain their affection while he makes them perform their business, is to most people (owners) a higher recommendation than his skill as a planter. One of the first things inquired into is his character in that respect; no person would employ a cruel manager believing him to be such." He does not "believe the poor of any country live happier than the slaves on the plantations in the West Indies; in many cases they have an evident superiority. He thinks their lot in general to be envied by the poor in all the countries he has seen." "He had a negro who bought out the freedom of his wife, at a price of near 80*l.*, and in her name held two houses, at Tobago; supposes he was worth 6 or 700*l.* Many of the negroes are possessed of a great deal of property."

Sir A. W. Byam, Attorney General for Grenada and its dependencies, upwards of twenty years resident in the West Indies, says—"Compared with the punishments in England on the same offences, he thinks the criminal slave laws far from severe. Whipping and confinement are the only punishments by the master or the manager, which are considered

as legal. Any abuse of the master's power was always considered punishable by indictment or information. If such abuse was frequent he never knew it. In the few cases where he has had occasion to prosecute for such abuses in their Courts of King's Bench, Court and Juries always appeared desirous of seeing the offenders brought to exemplary punishment." "From the Sunday clothing of industrious slaves, and their comfortable furniture, he has no doubt many field negroes, acquire and spend yearly, at least from 10 to 20*l.* sterling, which they lay out openly on luxuries and comforts."

James Baillie, Esq. 16 years an inhabitant of Jamaica. "Negroes are well provided with food and clothing in all the islands he has been in, but there is a greater abundance of provisions in Jamaica and the ceded islands than in the smaller. Negroes supply the markets in the ceded islands with fresh provisions, roots and vegetables, the profits of which they apply to their own use. Some of them have property to the amount of 40, 50, 100 or even 200*l.* sterling, which is transmitted from one generation to another. Their labour cannot be considered as severe, when compared to the labour of the lower people in Europe." Punishments not severe, when compared with the discipline of the army and navy. Greatest attention is used to prevent the separation of slaves, connected either by relationship or friendship. Never knew slaves express a desire to return. Slaves in Grenada are generally christians, and in a state of comfort and happiness. Recollects instances of negro freemen marrying slaves, though they knew the children

\* This offence Edwards tells us in his history published in 1793, is sometimes punished by a few strokes of the driver's whip, though of late years a slight excuse is generally admitted.

of such marriage would be born slaves." "*The slaves are much better used now than formerly.*"

Admiral Shuldham, "He has observed the behaviour of masters to their negro slaves, in the islands where he has commanded, to have been mild, gentle, and indulgent, equal to that generally shwon by masters to their servants in this kingdom. The slaves were decently clothed, and properly, for the climate, and seemed perfectly satisfied with their victuals and lodging; he never heard them make any complaints; they are in all respects perfectly satisfied, so, that when a midshipman, he envied their condition, and often wished to be in the same situation."

Admiral Barrington "has observed that the masters, in all the islands where he has commanded, have always behaved to their slaves with the greatest humanity. The slaves appeared properly fed, clothed, and lodged, and more labour was not required of them than they could properly bear; they are in general perfectly satisfied with their condition. In the last war he was three months at Barbadoes, and on shore every day, where he had continual opportunities of observing the situation of the negroes, and the conduct of the masters, and never knew any act of cruelty, by the owners, on their slaves. The slaves in Barbadoes are more comfortably lodged, and much cleaner than the labouring people of Ireland, and in general in the West Indies, they appear happier than the labouring poor in Ireland, and many parts of Great Britain."

Admiral Edwards had served a long time in the West Indies, and

believes the slaves are treated better now than when he first was there.

Admiral Hotham, had known the West Indies from a boy, and never found the conduct of masters of slaves otherwise than very proper. The treatment of slaves was mild and humane, they seemed properly fed, clothed, and lodged; he never thought more labour was required of them than they could properly bear; they did not appear desponding, but well satisfied with their condition, and always very cheerful.

Commodore Gardner "had served in all the West Indian islands; he believes the treatment of the slaves in Jamaica humane and mild." He believes them perfectly satisfied with their condition. *He is confident they are much better treated now than when he first knew the island;* the burden grows daily lighter, and they are better fed, clothed, and attended to.

Such was the picture of colonial happiness in 1790, as drawn by those who were brought forward by the merchants to avert the threatened interference of the British parliament, with their blood-stained traffic. And those witnesses, we observe, were not collected from the dregs of society. They had, however, been all exposed to a moral climate not the most favourable to delicacy of feeling. Men educated amidst the scenes of a military life, and inured to martial law, when mellowed by West Indian hospitality, might easily persuade themselves that their generous hosts were humane and indulgent to their sable dependents, as well as frank and generous towards their equals. And those who were long inured to the exercise of authority, which could not, without extra-

ordinary self-command, be always mildly administered, must unavoidably slide into a belief that the change which habit had produced in the state of their own sensibilities, was a melioration of the system itself, or at least in the administration of it; a moral change somewhat analogous to what the northern voyagers had undergone when they found the air at zero mild and temperate.

Admitting, even to a limited extent, the truth of the statements above given, as well as some of a similar character, which our author extracts, respecting the wealth amassed by some of the slaves, one important conclusion naturally and necessarily results. The negro race, even under all the disadvantages which slavery entails on its victims, are not so incorrigibly averse to industry, nor so destitute of care, as they are commonly supposed. The slave whose wants, both in his middle and declining years, are so fully supplied, by the humanity of his owner, as they are here represented to be, must be deprived of the usual stimulants to application. The fear of want, as much as the hope of enjoyment, is the usual incentive to industry. And the man who is placed, by the care of others, beyond the reach of penury, and who cannot by any acquisitions, expect to rise above his present state, must possess uncommon energy of character, or he will never apply himself with assiduity to the attainment of wealth; more especially when that wealth is held as the acquisitions of the slaves unquestionably are, by a very precarious tenure.

That our author, after a residence of twenty-one years in the society of

those whose prejudices were in favour of West India humanity; and opposed to all interference of the metropolitan authority with the government of their slaves, should imbibe the opinions which his pages exhibit, is cause of neither censure nor surprise. But to come nearer to the point proposed at the close of the preceding number. In the year 1823, F. Buxton, moved in the house of commons, to introduce into the British sugar islands, a number of regulations of the existing system, obviously designed to meliorate the then existing condition of the slaves. Some at least of these would appear to have been of very little importance, had the state of the slaves, as represented by our author, been understood by the mover. In the discussion that followed, it appears to have been fully admitted, by the best informed members of the house, that the evils which it was proposed to redress, were then in actual existence. The question was not so much the necessity, as the mode, of effecting their removal.

It requires a share of scepticism or credulity, I scarcely know which, whereof few are possessed, to admit the supposition, that the legislators of Great Britain, after all their anxious inquiries into the state of West Indian slavery, with the very best means of gaining information, should still be so ignorant of their subject, as to employ the whole machinery of West Indian legislation, in the redress of grievances which no longer existed.

The original motion was withdrawn, and the following resolutions substituted at the suggestion of secretary Canning.

1. That it is expedient to adopt effectual and decisive measures for ameliorating the condition of the slave population in his majesty's colonies.

2. That through a determined and persevering, but judicious and temperate, enforcement of such measures, this house looks forward to a progressive improvement in the character of the slave population, such as may prepare them for a participation in those civil rights and privileges which are enjoyed by other classes of his majesty's subjects.

3. That this house is anxious for the accomplishment of this purpose, at the earliest period that may be compatible with the well-being of the slaves, the safety of the colonies, and with a fair and equitable consideration of the interests of all parties concerned therein.

4. That these resolutions be laid before his majesty.

The accomplishment of the proposed reformatations being entrusted to the executive government, a letter was shortly after addressed by Lord Bathurst, to the governors of the different colonies, proposing the following reforms in their slave codes.

1. To provide the means of religious instruction and Christian education for the slave population.

2. To put an end to markets and to labour on the Sunday, and to appropriate that day entirely to rest and recreation, and to religious worship and instruction; and instead of Sunday, which had hitherto been the day on which, in most of the colonies, the slaves had cultivated their provision grounds, to allow them equivalent time on other days for that purpose.

3. To admit the testimony of slaves in courts of justice.

4. To legalize the marriage of slaves, and to protect them in the enjoyment of their connubial rights.

5. To protect the slaves by law in the acquisition and possession of property, and in its transmission by bequest, or otherwise.

6. To remove all the existing ob-

structions to manumission, and to grant to the slave the power of redeeming himself, and his wife and children, at a fair appraisement.

7. To prevent the separation of families by sale, or otherwise.

8. To prevent the seizure and sale of slaves detached from the estate or plantation to which they belong.

9. To restrain generally the power, and to prevent the abuse, of arbitrary punishment at the will of the master.

10. To abolish the degrading corporal punishment of females.

11. To abolish the use of the driving-whip in the field, either as an emblem of authority, or as a stimulus to labour.

12. To establish Savings' Banks for the use of the slaves.

If the state of slavery had been such as our author in the preceding summary has represented it, we should suppose that most of the regulations, suggested by the mother country, would have been adopted without hesitation, or opposed upon the plea of supererogation. The pride of the colonial authorities being saved by the proposal, that the intended reforms should appear as originating with themselves, no reason presents for the neglect or refusal to carry into effect, the views of the British government, but a positive objection to the reforms themselves. What reception did these suggestions meet with in the islands? Did they adopt them, or declare that they were already adopted in practice? The improvements were opposed or evaded in all the colonies, and generally in a manner indicative of little regard to their subordinate relation. In Jamaica, particularly, I find, the intimation contained in Lord Bathurst's letter, that in case the reforms were not effected by the local authorities, the work must be under-

taken by the mother country, treated with the utmost contumely.\*

"That in these times, when we perceive a party which has fanaticism and revolution as its guides possessing such an ascendancy over some of the members of the British cabinet, it is our duty to watch with a careful eye over our birth rights, and not allow ourselves to be lulled into repose with the false idea that the danger is passed. Such will never pass until the leaders of the British cabinet possess, and dare to show they possess, an independence of those creatures styled by the name of Saints, from which dangerous party it is to be hoped the respectable part of the British public will soon withdraw its countenance.

"That it is but too evident the Secretary for Foreign Affairs of the British cabinet, and leader of the house of commons (the intimate friend of our arch enemy,) is himself, as far as he dare, an advocate for the abolition of existing circumstances in the American Archipelago; he, and by his own acknowledgment, was the chief cause that a neighbouring island (Trinidad) was refused the blessings of a British constitution, which refusal has exposed it to its present misery and oppression.

"That we have been treated with contempt, scandalized, and defamed. We have also been threatened. It is our duty, therefore, to show, that he who does not fear death fears not threats. It is our duty to show, that although we can make up our minds to live without wealth, yet we cannot make up our minds to live without honour; which we should, did we not choose to risk all in manfully defending our rights, like men worthy of them, rather than to have them crumble from us ignominiously, owing to pusillanimous and indetermined measures.

"That it is with feelings of gratitude and respect we praise the house of assembly (which has the sole right of altering and amending our code,) for its energetic conduct during last session in so firmly protecting our constitution, our properties, and our rights; and we rely on its wisdom

The legislatures of some of the islands, it is true, proceeded to enact laws for the melioration of the condition of their slaves and people of colour, but the provisions, or if we please, improvements, adopted, furnish a sombre picture of the happy condition of these degraded people. A few of these will be selected as specimens. I begin with the Bahamas. In those islands, as I have formerly observed, the soil is less productive than most of the others, and the culture of sugar less attended to, and hence the labour exacted from the slaves, is less oppressive, and their situation more comfortable. Their numbers have been progressively advancing, while those of the islands generally are on the decline. A certain indication of better treatment. In the beginning of 1824, the legislature proceeded with the work of meliorating the condition of the coloured race. Previously to that time, free blacks and persons of colour were not permitted to give testimony in courts of justice, against whites; but by the improvements of that year, they were admitted to give their testimony in all civil or criminal cases, affecting white persons. But none are admitted to the full enjoyment of this privilege, who were not born free, and who are not natives of the West Indies, and who have not resided five years in the Bahamas. This provision, of course, excludes all persons of colour, born in any other country than the West Indies, (England, or the United States,) from giving evidence in any case, affecting the population of the islands.

that, during the approaching session, it will adhere to the same upright and laudable principles."—*Resolutions of the Freeholders of St. Elizabeth.*

But all creole negroes or mulattoes, who, though not born free, have been manumitted, and have actually enjoyed their freedom for five years,\* and who profess the christian religion, are admitted to the privileges of those persons of colour who were born free, except that they are not allowed to give evidence of treason, felony, &c., committed before they became free. But from these rights and privileges, all negroes, mulattoes, and other persons of colour, being natives of Africa, or the contiguous islands, are absolutely excluded.

All manumissions of slaves, incapable of labour, are declared void, and the master is bound, under a penalty, to provide for such slaves. Hence those slaves who, according to Barclay and others, are in possession of absolute wealth, unless capable of labour, must remain slaves, and entail their hapless condition upon their posterity.

Marriages of slaves, or those between slaves and free coloured persons, are not allowed to be celebrated without the written consent of the owner; which the owner may grant or refuse at pleasure. These marriages, when celebrated according to law, are declared valid, provided that the marital power and authority to be thus acquired by the husband over the wife, shall in no such case impugn, diminish, or interfere with

the rights or authority of the owner, in any manner whatever.

No slave shall receive more than twenty lashes at any one time, or for any one offence, unless the owner, or employer, or the supervisor of the workhouse or keeper of the jail, be present; and neither of these persons are to inflict more than thirty-nine lashes at one time, and for one offence; nor is any female slave above twelve years of age, to be punished otherwise than in private.\*

The practice of fixing iron collars, with projecting bars or hooks, round the necks of slaves, or loading them with chains, or weights, beyond what is necessary for securing their persons, is prohibited.

Any slave, having concealed in his house, or possession, any fire arms, gunpowder, slugs or ball, and convicted before two justices, may be

\* This appears to be an actual improvement in the law, as I find the master's power of correction was not previously limited. It is, however, if we are to credit the assertions of Barclay, a sorry specimen of colonial reform. We are told, that at no distant day, when savage Africans were pouring into Jamaica, the masters power of punishing his slaves, was little restrained by law, and was exercised to great extent by the subordinate white people and drivers. (See page 217, of this Journal.) Yet the laws of Jamaica, as early as 1792, sixteen years before savage Africans had ceased to pour into the island, had placed the same limitations upon a master's authority, which our author has given as a modern improvement, and even curtailed the power of the subordinate agent to half the extent, which the Bahama legislature has thought expedient. Except in the case of females, the Bahamas are not yet as far advanced with their meliorating laws, as Jamaica was when the master's power was but little restrained.

\* Does not this extraordinary provision, expose the manumitted slaves to every injury that the whites may choose to inflict, until five years after their manumission, and thus render their situation during that interval, more precarious than while they were under the protection of their masters?



punished with whipping, at discretion.

Slaves stealing or killing cattle, sheep, horse, &c. are punishable with death.

A slave aiding a slave to depart from the Bahama islands, shall suffer transportation, or any other punishment, not extending to life or limb. A free negro or person of colour, doing so, shall suffer transportation, and, if afterwards found at large, put to death without benefit of clergy. A white person, for a like act, is liable to a fine of 100*l*, and imprisonment of not more than one year. An important difference to be founded on colour alone.

Slaves receiving sentence of death or transportation, are to be valued. But if it shall appear that the owner of such slave had treated him with inhumanity, and that necessity or hard usage might have driven him to the commission of the offence, the owner shall receive no allowance from the public. It is to be hoped, that some provision exists, either by executive interference, or otherwise, to rescue the slave from death, when necessity has driven him to the commission of the crime. To punish the slave with death, and the cruel master, the real criminal in the supposed case, with the loss of his slave, is too outrageous a mockery of justice, to be tolerated in a christian community: yet such is apparently the improved statute law of the Bahamas. And still their numbers there, are increasing upwards of 2 per cent. per annum; while in Jamaica, the Elysium of slaves, they are constantly decreasing.\*

\* This will be shown conclusively in the next number.

Upon the transmission of this specimen of improved legislation to England, Lord Bathurst pointed out a number of its provisions to which important objections occurred, and various omissions which he thought needful to have supplied. Expressing an assurance, that the local authorities would willingly correct what was so obviously faulty. On receiving his observations, the legislature transmitted a long message to the governor, complaining grievously of the wish expressed by Lord Bathurst, and denouncing the provisions suggested, as unjust and injurious. Arguing, that it is infinitely better for all parties, that the negro should be left to the voluntary kindness of his master, *than to be protected* by law. For, say they, protect him by law, in the enjoyment of his property for example, and from that moment that property, instead of a bond of union between him and his master, would become a barrier of inextinguishable hate. In short, a strong sense of the great impolicy and absolute danger of making any further innovation at present in the slave system of the colony, and a decided conviction of the correctness of the principles on which they are acting, compel them to refuse to alter their legislation. Yet the governor asserts, in his communication to Lord Bathurst, that this law improves the condition of the slaves very considerably.

#### IMPORTANT REMARK.

Mr. Pitt declared, that it was impossible to increase the happiness or enlarge the freedom of the slave, without in an equal degree, adding to the security of the colonies and of all the inhabitants.

*Burton's speech in H. Commons, 1823.*

## REVIEW.

*Of a sketch of the laws relating to Slavery, in the several states of the United States of America. By George M. Stroud. Philadelphia, published by Kimber and Sharpless. pp. 180.*

The public have been several years in possession of an elaborate work, by James Stephen, Esq. of London, on the slavery of the British West Indies, as existing in law, portraying with a master's hand, the oppressive character of West Indian legislation, and the general inefficacy of the provisions which have been made for the protection of the servile class; but hitherto nothing has been presented to the American public, by which the laws of the several states, either as they relate to the protection, or the government of slaves, could be satisfactorily determined. Some attempts to supply this defect, have, within a few years, been made, but those who have undertaken the task, have been wanting, either in the requisite means, or the industry indispensable to its accomplishment.\* The student or philanthropist, who desired to understand the laws which relate to slavery, in these republican states, had no means of gratifying his desire, but by wading through a number of volumes of statutes and reports, which were often difficult to procure, and always tedious to examine. The volume before us, has at length effected what had been long regarded as a desideratum in Ameri-

\*Not less than thirty years ago, this subject engaged the attention of the delegates, from the various abolition societies, who convened at Philadelphia, and several resolutions on the subject, appear on their minutes. I do not, however, discover that any thing effectual was ever done.

can literature. The author has adopted the arrangement, rather than the plan, of his English predecessor, and in one respect, at least, has a decided advantage over him. The work of the former is diffuse, and the information relative to the laws of the colonies, is mingled with matter somewhat irrelevant to the subject, though entirely in unison with the design of the author. The volume under review, is devoted to the object indicated by the title, and the observations of the author seem to illustrate the *legal* rather than the *moral* character of the provisions which are brought under notice. He does not quit his road in search of decorations, nor abandon his province of a reporter and expositor of the laws, to indulge in reflections on the cruelty and injustice of slavery; yet he has managed to render both sufficiently glaring by his expositions. The sting is rendered more severe from being pointed with truth. The style is chaste and correct, equally removed from barrenness and verbosity.

Though the legal intelligence is generally too much condensed to be used as authority in the management of a cause in which the rights of a slave are in question, yet as reference is continually made to the original authorities, the work, besides supplying the wants of the general reader, may serve as a valuable index to the numerous volumes from which that intelligence was extracted.

The volume, exclusive of the appendix, is divided into four chapters.

The first chapter, the shortest of the four, relates to the persons who may be held as slaves, and the authority upon which they are so held.

The object in this chapter is not to trace, with the hand of an historian, the origin of slavery in these then British colonies, but to exhibit its first assumption of a legal character. And it is observable, that we nowhere find a law authorizing the enslavement, except in a single case, to be noted hereafter, of any part of the native population, or the importation of slaves from abroad, to which we can refer, as the origin of American slavery,\* but the earliest enactment on the subject, recognizes slavery as an existing institution, which it was judged expedient to limit or define. Though Virginia† was, un-

\* The Maryland act of 1717, declaring that a free negro or mulatto, intermarrying with a white woman, shall become a slave for life, does originate slavery in its proper sense, as the offspring of such marriage must be free.

† The first importation of African slaves into these American colonies, appears to have been in 1620. The trade to Virginia, was in that year, thrown open, having been previously monopolized by a company, and a Dutch ship from the coast of Guinea, sailed up the James river, and sold twenty negroes to the planters as slaves. (Robertson's History of America, book 9—Marshall's Life of Washington, introd.) The use of tobacco had recently obtained a place among the fashionable circles of Europe, and the climate and soil of Virginia, being congenial to its production, its culture became about that time, the most prominent part of the planter's occupation. Had the people of Europe in general, participated with the monarch, then on the English throne, in his aversion for that artificial luxury, it appears probable, that the present inhabitants of these states, would have escaped the burden of a population, which it appears difficult to dispose of, or retain. According to Adam Smith, it was by the possession of a lucrative staple,

questionably the first of the Anglo-American colonies, into which the natives of Africa were transported as slaves; yet the earliest enactment on the subject, which our author has quoted, is to be found among the statutes of Maryland. It is dated in 1663, more than 40 years after slaves were first imported into the sister colony. This act recognizes the existence of negro slavery, and legalizes the traffic in slaves, which, from the terms of the law, may be supposed to have been a part of the established commerce of the province. It is, however, remarkable, that in settling the character of hereditary slavery, this act recognizes the common law doctrine, or that which prevailed in England, during the existence of villinage, that the child should follow the condition of the father. And here it may be remarked, that as the system of villinage was the only part of the institutions of the mother country, which could afford any shadow of authority for the establishment of negro slavery, it is cause of serious regret that this feature of it was not preserved. It is true, that the issue of white women, who married negro slaves, for a time, followed the condition of the father; yet had this principle been maintained, other evils of much greater magnitude must have been mitigated, if not excluded. A more numerous class of mulattoes, must have been free; and our brethren of the south, would have escaped the odium, as well as the guilt, of holding their own offspring as slaves. This law, also, established a slavery of an anomalous character,

that the southern planters were enabled to support the expense of slave cultivation.

which, it is presumed, is now entirely unknown. Any English woman, who married a negro slave, became servant to the master of the husband during the life of the latter. This was certainly carrying the doctrine, that the acquisitions of the slave, become the property of the master, to an unprecedented extent.

This law, after a shortlived existence, was repealed, and the maxim of the civil law, that children should follow the condition of the *mother*, adopted as the law of all the colonies, in relation to slaves. This maxim, it is obvious, places the slave, in contemplation of law, much nearer the condition of brutes, than the former had done, and must greatly increase the demoralizing tendency of slavery itself. It seems, besides, rather hard, that unconditional slavery should be the only heritable article that an illegitimate child can possess. In a law of Virginia, passed in 1679, noted by our author, we find one of the sources of slavery recognized, by the declaration, that, for the *better encouragement of soldiers*, all Indian prisoners who should be taken in the war then existing, should be *free purchase* to the soldiers taking them. Whether the encouragement proposed, was intended to stimulate the ardour, or to moderate the fury of soldiers, is not very clear. If it was designed to prevent the massacre of Indian prisoners, a practice which we all know, has generally disgraced our wars with these unfortunate people, the motive was certainly more laudable than the means. One point is particularly striking in the early legislation of the colonies, that our ancestors of that time were imbued, to a considerable extent, with the sen-

timents of the Spanish invaders of the New World. The warrant of the latter to conquer and enslave, was founded upon the supposition, that pagans were the lawful prey of christians;\* and our anglo-Americans of the 17th century, appear to have thought, that such as were *not christians*, might be lawfully held as slaves. Upon this principle, the early settlers in North America, appear to have reconciled their consciences to the practice, probably, finding in the Mosaic institutions, a satisfactory warrant.† The necessary consequence of admitting this doctrine, would be, that slaves, in case they became christians, should be free. We accordingly find, that about the beginning of the eighteenth century, a number of slaves who had accompanied their masters from the West Indies to England, were induced to engage some clergyman whom they could interest in their favour to baptize them, under a persuasion that they became, in consequence, entitled to their freedom. And so generally did this opinion prevail, that the masters do not appear to have ventured to bring the question before any of the English courts.‡ But if negroes were enslaved, because they were pagans, and with a remote view to their ultimate conversion to chris-

\* See the grant of Eugene IV. to Prince Henry, of Portugal, and that of Alexander VI. to Ferdinand, of Spain. (Robertson's Hist. Am. book 1 and 2.)

† Lev. 25, 44.

‡ Clarkson's History of the Abolition of the Slave Trade, vol. i. p. 55. A similar opinion prevailed about the same time in these colonies, as we find by the laws of Maryland and S. Carolina. The former enacted in 1715, and the latter in 1711.

tianity, habit soon reconciled their masters to the practice, and they continued to be held, because they were negroes; and eventually many of them having, by mixture or otherwise,\* became almost white, they are still retained, because their mothers were slaves. So rigidly is the maxim of the civil law maintained, in all our slave-holding states, that any person descended, however remotely, in the maternal line, from a female slave, is adjudged a slave, even though the paternal ancestor in each generation was white. According to Edwards, such as are above three steps removed in lineal digression from a negro mother, are in the island of Jamaica, entitled to all the privileges of white subjects.†

The second chapter "on the incidents of slavery," includes a much

\* In his first chapter, our author has cited, rather hesitatingly a case, of three unipartite children, born of a negro slave, two of whom were white, and the other black. These white children of course, were slaves. This case, if true, is curious, but not totally unprecedented. Several analogous cases are given by Dr. Prichard, in his profound work on the physical history of mankind. One is, that of a white child, born in Virginia, both of whose parents were black. The father, an imported African, belonged to a family in which white children were not uncommon. A second instance was, that of a pair of twins, one of whom was black, with short woolly curled hair, the other white, with long hair. The mother in this case, was a negress, the father an Englishman. A third, is that of a child whose mother, was white, and the father a negro. The child was fair, with European features, except a part of the body, and of one limb, which was as black as the father.

† Hist. W. Ind. B. iv. chap. 1.

larger field than the former. In order to exhibit in proper order, the various laws which this branch of the inquiry must call into view, our author, after the example of Stephen, has stated twelve propositions, which are successively discussed. They are as follows:

Prop. I. The master may determine the kind, and degree, and time of labour, to which the slave shall be subjected.

II. The master may supply the slave with such food and clothing only, both as to quantity and quality, as he may think proper, or find convenient.

III. The master may, at his discretion, inflict any punishment upon the person of his slave.

IV. All the power of the master over his slave may be exercised not by himself only in person, but by any one whom he may depute as his agent.

V. Slaves have no legal rights of property in things, real or personal; but whatever they may acquire belongs, in *point of law*, to their masters.

VI. The slave being a *personal chattel*, is at all times liable to be sold absolutely, or mortgaged or leased, at the will of his master.

VII. He may also be sold by process of law for the satisfaction of the debts of a living, or the debts and bequests of a deceased master, at the suit of creditors or legatees.

VIII. A slave cannot be a party before a judicial tribunal, in any species of action, against his master, no matter how atrocious may have been the injury received from him.

IX. Slaves cannot redeem themselves, nor obtain a change of masters, though cruel treatment may have rendered such change necessary for their personal safety.

X. Slaves being objects of *property*, if injured by third persons, their owners may bring

suit, and recover damages, for the injury.

**XL. Slaves can make no contract.**

**XII. Slavery is hereditary and perpetual.**

These propositions are proved either by citations from existing laws, including those of all the slave states, from Delaware to Louisiana; or by inference from the established principles of all the servile codes. In the investigations belonging to this part of the subject, we are often reminded of a remarkable feature in all the laws which operate upon slaves. Those provisions which are designed to support the authority of the master, and to punish the delinquencies of the slave, are obviously capable of enforcement. But those laws which were ostensibly designed to protect the slaves from the cruelties of masters, or other white persons, are generally deficient in the essential of law, *an executory principle*. It is not to be supposed, that our southern legislatures, when they enacted laws for the protection of their slaves, intended that the products of their legislative toils should sleep forever amidst dust and cobwebs; yet from the general character of their enactments, it is hard to resist the conclusion, that they were striving to attain two incompatible ends. To afford an efficient protection to their slaves, and leave the power of the masters unretrenched. To leave their slaves in the condition of brutes, and yet confer upon them some of the privileges of men. Probably the collision of opposite principles is no where more obvious than in the legislation of our slave-holding states.

Among the holders of slaves, a higher sense is entertained of the

rights and privileges of freemen, than among other people, and hence an extreme sensibility with regard to every measure which tends to encroach on their power. At the same time the passions of every description being more indulged, become warmer, and hence the feelings of humanity when once excited, assume a higher tone than among those who are subject to habitual restraint. We accordingly find just and noble sentiments in preambles to puerile provisions for the protection of slaves. One principle, never to be impeached, pervades the system. The rights of the master *must* be maintained. Humanity to the slave is always a subordinate object. And probably the most efficient protection afforded by law to the slave, arises from its guardianship over the property of the master.

Under the twelfth proposition, our author has discussed, though briefly, the question whether slavery among the Hebrews was hereditary and perpetual, or limited by the year of jubilee. The conclusion to which he has arrived, is that the general freedom to be proclaimed in the year of jubilee, related to Hebrews and not to strangers; and that the slaves, purchased from the Heathens, were not emancipated in the fiftieth year. From this conclusion I must take the liberty of dissenting. Having made, in the third number, some general observations on this subject, I shall add on the present occasion but very few remarks. The passages most applicable to this case, and on which both sides of the question are supported, are Levit. xxv. 10 and 44, 45, 46. These precepts to be consistent must on one side or the other,

be construed with a limit which is not obvious. Can we understand the expression *all the inhabitants*, as implying all the Israelites to the exclusion of the servants purchased of the heathen, and incorporated with the family of the master? Had such been the design of the legislator, it appears reasonable to conclude that he would have used a less general expression—thy brethren, the children of Israel,—Hebrew servants, would have been concise and definite terms. There is no obvious limit, and to suppose one implied, seems equivalent to a supposition that more was said than intended. This precept, we may remember, whatever it meant, was imperative. It enjoined the performance of a duty. It must therefore be observed according to its full extent. The precepts respecting the purchase of heathen servants, were evidently permissive, not imperative. The Hebrews did not violate the law, by neglecting to buy servants, or declining to retain them *forever* when bought. If a modern judge was called to decide a case involving the question before us, he must certainly examine whether the permission here given was not susceptible of a construction compatible with the general tenor of the law, and the positive injunction in the 10th verse. When in the 30th verse an exception to the general law announced in the 10th verse is designed; we find words of description, and exclusion successively employed. *It shall be established forever, throughout your generations, it shall not go out in the jubilee.* The phrase forever is used in the case of the Hebrew servant whose ear was bored, as well as the hea-

then, yet the former is admitted on all hands to have been free in the year of jubilee.

The third chapter treats of the condition of the slave considered as a member of civil society. It consists of the seven following propositions.

I. A slave cannot be a witness against a white person, either in a civil or criminal cause.

II. He cannot be a party to a civil suit.

III. The benefits of education are withheld from the slave.

IV. The means for moral and religious instruction are not granted to the slave; on the contrary, the efforts of the humane and charitable to supply these wants are discountenanced by law.

V. Submission is required of the slave, not to the will of his master only, but to that of all other white persons.

VI. The penal codes of the slaveholding States bear much more severely upon the slaves than upon white persons.

VII. Slaves are prosecuted and tried upon criminal accusations in a manner inconsistent with the rights of humanity.

This is the most important chapter in the work. The first proposition, when proved to apply not only to the slave, but in most of the slaveholding States, to the free coloured race, opens at once a theme for severe animadversion upon the legislation of the South. This is treated at considerable length, and the effect of the rule, in neutralizing every protecting law, conclusively shown. But this branch of the subject having been already discussed in this journal, no further notice will be taken of it at present, than just to remark, that, negroes not being christians, would appear to have been, at one time, judged a satisfactory reason for excluding their testimony. Their

profession of christianity, however, has not yet been thought a solid ground for admitting it.

These propositions are not only proved, but are shown to apply with but little modification to free coloured persons as well as slaves. So far have the legislative and judicial authorities proceeded in the amalgamation of free persons of colour with slaves, that in several States, laws have been enacted declaring all negroes, mulattoes, &c. slaves, unless *proved to be free*: and subjecting a slave to corporal punishment for an unsuccessful attempt to establish his freedom. In nearly all the slave States negroes are *presumed* to be slaves, unless the contrary can be proved; and the claims of a white person cannot be set aside by any but white witnesses. Our author has shown with his usual clearness, the encouragement afforded by this presumption, to the enormous crime of kidnapping—to which I shall add, that I do not believe the practice can be suppressed, until the rule of presumption is changed, the testimony of coloured persons admitted, or an effectual system of registration adopted.

When we reflect upon the degradation which slavery never fails to produce, we should be ready to conclude a disposition would be indulged to counteract this effect and keep the slave within the pale of humanity; or at least that nothing would be done, by legislative authority, to smother the dormant energies of the slave, and clip the puny wings of genius, among the servile class. The fact, however, is as our author has shown, that the statute books of the South are disgraced by several acts designed to prevent not only

slaves but free persons of colour from being taught to read and write; and that meetings of these people for mental instruction are proscribed. Do these acts evince a belief that negroes are an inferior race?

The sixth proposition presents the injustice of slave legislation in a more glaring light than any of the preceding. Our author exhibits a catalogue of fifty crimes, for each of which a slave, in Mississippi, forfeits his life, twelve only of which subject a white man to a similar fate. The penal code of Virginia is still more sanguinary, annexing the punishment of death to about 70 different crimes when slaves are the offenders, though whites are not subjected for any of these to greater penalties than imprisonment in the penitentiary. That these sanguinary punishments have not been resorted to in consequence of any evidence of their necessity, which experience may be supposed to have furnished, may be safely inferred from the fact, that in some of the slave-holding States the penal codes are clear of this Draconic character. The laws of Tennessee, for instance, compared with the foregoing, are amiably mild—the capital crimes of slaves are there but five.

The fourth chapter relates to the dissolution of slavery.

Section I. Recites the laws which have been enacted in the Eastern and middle States, for the abolition of slavery.

The section before us includes, somewhat more at large, nearly the same information as I have already laid before my readers in the sixth number.

Section II. Treats of the laws regulating the emancipation of slaves;



these regulations turn out to be principally composed of limitations of the master's power to liberate his slaves. In some of the States slaves can be emancipated only by special act of the legislature. In others by the courts for meritorious services, and in one of them almost all the modes required in others must concur to render an emancipation complete.

**DIED**—Lately, at Mitford, (Eng.) aged 22 years, Mr. HENRY WALKER, a native of Jamaica. He has by his will, left 2*l*. and freedom to every slave on his estate there.—*English paper.*

#### SLAVE TRADE.—A POEM.

(Continued from page 224.)

And thou, *white savage*, whether lust of gold  
Or lust of conquest rule thee uncontrolled!  
Hero or Robber! by whatever name  
Thou plead thy impious claim to wealth or fame;  
Whether inferior mischiefs be thy boast,  
A tyrant trampling Congo's coast;  
Or bolder carnage track thy crimson way,  
Kings dispossessed, and provinces thy prey;  
Whether thou pant to tame earth's distant  
bound;  
All Cortez murdered, all Columbus found;  
On plundered realms to reign detested Lord  
Make millions wretched and thyself abhorred:  
Whether Cartouche in forests break the law,  
Or bolder Caesar keep the world in awe;  
In Reason's eye in Wisdom's fair account,  
Your sum of glory boasts a like amount;  
The means may differ, but the end's the same;  
Conquest is pillage with a nobler name.  
Who makes the sum of human blessings less  
Or sinks the stock of general happiness;  
Tho' erring fame may grace, tho' false renown  
His name may blazon or his memory crown;  
Yet the last audit shall reverse the cause,  
And God shall vindicate his broken laws.

Had those adventurous spirits who explore  
Through ocean's trackless wastes, the far soot  
shore;  
Whether of wealth insatiate or of power,  
Conquerors who waste, or ruffians who devour:  
Had these possessed, O Cook, thy gentle mind,  
Thy love of arts, thy love of human kind;  
Had these pursued thy mild and liberal plan,  
Discoverers had not been a curse to man!  
Then, blest Philanthropy, thy social hands,  
Had linked discovered worlds in brothers'  
bands;  
Careless, of colour or if clime divide;  
Then loved, and loving man had lived, and died.  
Then with pernicious skill we had not known  
To bring their victims back, and leave our own.

The purest wreaths that hang on glory's shrine  
For empires founded, peaceful Pean! are  
thine;  
No blood stained laurels crown'd thy virtuous  
toil,

No slaughtered natives drenched the fair earned  
soul,  
Thy followers only have effaced the shame  
Inscribed by slavery on the christian name.

Shall Britain, where the soul of freedom  
reigns,  
Forge chains for others she herself disdains!  
Forbid it, Heaven! O let the nations know,  
The liberty she loves she will bestow;  
Not to herself the glorious gift confined  
She spreads the blessing wide as human kind;  
And, scorning narrow views of time and place,  
Bids all be free in earth's extended space.

What page of human annals can record  
A deed so bright as human rights restored!  
O may that godlike deed, that shining page,  
Redeem our fame, and consecrate our age!  
And let this glory mark our throned shore,  
To curb false freedom and the true restore!

And see, the cherub Mercy from above,  
Descending softly, quits the sphere of love!  
On Britain's isle, she sheds her heavenly dew  
And breathes her spirit o'er the enlightened  
few,  
From soul to soul the spreading influence steals,  
Till every breast the soft contagion feels.  
She speeds, exulting, to the burning shore,  
With the best message Angel ever bore.  
Hark! 'tis the note which spoke a Saviour's  
birth!

Glory to God on high, and peace on Earth!  
She vindicates the power in heaven adored;  
She stills the clank of chains, and sheathes the  
sword;  
She cheers the mourner, and with soothing hands  
From bursting hearts unbinds the oppressors  
bands;  
Restores the lustre of the christian name,  
And clears the foulest blot that dimmed its  
fame.

As the mild Spirit hovers o'er the coast,  
A fresher hue their withered landscapes boast;  
Her healing smiles the ruined scenes repair,  
And blasted Nature wears a joyous air,  
While she proclaims through all their spicy  
groves,  
"Henceforth your fruits, your labours, and your  
loves,  
"All that your sires possessed, or you have sown,  
"Sacred from plunder, all is now your own."

And now, her high commission from above  
Stamped with the holy characters of love,  
The meek-eyed spirit waving in her hand,  
Breathes manumission on the rescued land;  
She tears the banner stained with blood and  
tears

And, Liberty, thy shining standard rear!  
As the bright ensign's glory she displays  
See pale Oppression faints beneath the blaze!  
The giant dies! no more his power appals,  
The chain, untouched, drops off; the fetter  
falls.

Astonished echo tells the vocal shore  
Oppression's fallen and slavery is no more!  
The dusky myriads crowd the sultry plain,  
And hail that mercy long invoked in vain.  
Victorious power! she bursts their twofold bands,  
And faith and freedom spring from Britain's  
hands.

And thou great source of nature and of grace,  
Who of one blood didst form the human race,  
Look down in mercy in thy chosen time  
With equal eye on Afric's suffering clime:  
Disperse her shades of intellectual night  
Repeat thy high behest, *Let there be light!*  
Bring each benighted soul, great God, to thee,  
And with thy wide salvation make them free!

HANNAH MORE.

THE  
**African Observer.**

**TWELFTH MONTH, 1827.**

**SISMONDI'S\* REVIEW OF J. COMPTE'S TREATISE ON  
LEGISLATION.**

*(Continued from page 232.)*

M. Compte afterwards passes in review the colonies of the moderns, to show that slavery has produced, in all of them, the same effects: intemperance, lewdness and ferocity. We shall not recite in this place, the most offensive parts of these descriptions. It would be too painful an employment to review the afflictions of so many millions of human beings, who still groan under the galling yoke. We shall confine ourselves to a few particulars, taken from divers chapters, which we shall continue to extract in the words of the author.

When children are born of female slaves, we may ascertain by their colour the race of men to which the fathers belong. As marriages seldom take place between the blacks and whites, the children of mixed blood are the product of an immoral union, and generally of violence on the part of the master.

Upon arriving at the Cape of Good Hope, says Vailant, we are surprised

at the multitude of slaves, whom we see there as white as the Europeans. Yet the whites have never been reduced to slavery in this country; the slaves there, on the contrary, have always been of Ethiopian origin. From the masters and the Ethiopian slaves, have sprung a race, which, whitening further and further in each generation, have finally become exactly similar to those who hold them in slavery. But in this change of the race, a phenomenon occurs, which it is important to observe, because it is common to nearly all the colonies. The colonists do not enfranchise their own children born of female slaves. They require of them the same labours and submission as of their other slaves; they sell, exchange, or transmit them to their heirs as they judge convenient. If they fall by inheritance to a legitimate child, no difference is known between them and the other slaves—a brother becomes, in this way, the owner of his brothers and sisters; and he exercises over them

\* In the former number, this name was erroneously printed, and the error strangely overlooked until the sheet was worked off. The name as given above, is the true one.

the same authority, exacts from them the same labours, lacerates them with the same scourge, and compels them to minister to the same passions with his other slaves. This multitude of white slaves which astonish the European observer, are therefore almost all the fruit of adultery and incest. A traveller observes, that there exists so little affection between the relatives in this colony, that we rarely see two brothers conversing together. How can one brother possibly entertain any regard for another, when he has perhaps ten or twelve brothers and sisters, whom he considers as property of the lowest grade, and whom he employs for the meanest purpose?

At the Cape of Good Hope, the soil is poor; it is occupied in raising flocks, and in the production of the same kinds of grain as those cultivated in Europe. None of these productions require painful or continual labour. The articles most essential to life, are obtained with the least labour, and are sold at the lowest price. Thus, in general, at the Cape, the labour of the slave is not excessive; and his supplies of food are abundant. In Dutch Guiana, on the contrary, the soil is exceedingly fertile; suited to the production of sugar, and the various fruits of the torrid zone—these productions, obtained by long and painful labours, are generally designed for exportation. The sale being easy, the masters are interested in requiring of their slaves, the greatest and most continued exertion. On the other hand, the provisions required by the slaves being scarce and dear, the masters allow them no more than what is absolutely necessary for their support—this contrast is not peculiar to the Cape and Guiana. Slavery, every where degrading, is

notwithstanding softened in pastoral countries, by long intervals from labour, and by ample supplies of food; in those where grain is cultivated, the labour is harder and less intermitted; it is not however sufficient to prevent the increase of numbers among the servile class. In countries where they cultivate coffee, cotton, tobacco, and above all sugar, the labour is excessive, the nourishment quite insufficient, and the deaths more numerous than the births.

The handsome female slaves have to encounter, not only the desires of their masters or overseers, upon whom they are dependent, but the severe chastisements by which they frequently endeavour to overcome or punish resistance, but likewise the jealousy of the whites of their own sex. A woman who caused one of her slaves to be punished, sought principally to disgrace and render her hideous. She caused her bosom to be lacerated by the scourge, and even by a poignard. Stedman relates, that a female creole, discovering on her plantation a handsome young slave, immediately caused a hot iron to be applied to her forehead and cheeks, and ordered that the tendon of Achilles (the sinew which supports the heel) should be cut. A fine person was thus suddenly transformed into a monster of deformity.\*

After some observations, showing in what manner slavery corrupts the manners in the English colonies and in the United States, the author cites from the latter, a law which must appear extremely odious, when we reflect that in such acts, we see nothing but the explosion of the most shameful passions. Masters are expressly prohibited from cultivating the intellectual facul-

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\* Stedman's Travels in Surinam.

ties of their slaves. He who should be convicted of teaching one of them to read, would be punished with a fine seven times as great, as if he had cut off the hands or the tongue. In the latter case, he would incur a fine of only fourteen pounds; in the former, of one hundred. It is equally forbidden, to permit slaves to trade on their own account. All society is denied to the servile class; a white person, who shall find more than seven slaves together on the public road, is required to punish them, with not more than twenty lashes to each; and the slave, who should defend himself against a white person, would be punished as guilty of a horrible crime. A negro, or person of mixed blood, is not allowed to appear in the streets after night, without special permission. Offenders, whether free or bond, are taken up by a military police, who constantly patrol the streets, and punish according to circumstances.\*

Slavery was legal in all the Spanish colonies, but in all those where their progress has been rapid, the number of negroes was very small. The conquered aborigines, though generally subjected to a severe regimen, were not reduced to slavery. Thus, with the exception of Cuba, and a few other places where tropical productions were raised, and where the plantation regimen was established, the labours, in Spanish America, were performed by the hands of freemen. Labour has there been deemed honourable; and this single circumstance has promoted the cause of humanity, more than it could be injured by the despotism of the government, the fear of instruction, the

vigilance of the inquisition, and all the efforts which are apparently used to arrest the progress of civilization. M. Compté has proved, by a series of facts, that in the Spanish American colonies, the progress of intelligence, industry, population and morality, has always been, according to regulations in each colony, in the inverse ratio of the number of slaves and the severity of their treatment.

Having shown that slavery vitiates the physical constitution of slaves, that it renders the masters averse to labour, and the slaves incapable of performing the work of freemen; that it creates in the masters a distaste for intellectual exertion, and denies that exertion to the slaves; that it prevents the formation of a class, who are neither masters nor slaves, or forces such a class to emigrate if it already exists; that it produces among the masters a shameful depravity of manners, and that by interdicting to the slaves, the choice and the direction of their own actions, it has deprived them of even the pretence to moral motives; it seems to follow as a necessary conclusion, that a more fatal institution could not possibly have been introduced into society. But this is not all: M. Compté has examined the influence which slavery has had on the security of the masters' freedom, on the increase of wealth and population, on the political freedom and independence of nations; and in each of these new relations he shows, by universal experience, that this frightful institution, wherever it has been tolerated, has been no less fatal to the masters than to the slaves.

In countries where slavery is admitted, a dreadful calamity incessantly threatens those that are free, their freedom being always liable to be ques-

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\* *Travels in Canada and the United States*, by F. Hall.

tioned. If a person is presumed to be free, until the contrary is proved, how will the masters retain their slaves? How shall they reclaim them in case they escape? How can they discover their places of concealment? If, on the other hand, every person is presumed to be a slave, till his freedom is proved, how can those who are free avoid the danger of being treated as slaves?

Among the ancients, nothing was more frequent than the stealing of children. Slaves frequently avenged themselves in this manner upon their masters; they carried off in their flight, the children who had been confided to them, either from revenge, from avarice, or even from affection. But when they afterwards fell into distress, these children were commonly sold. The comedies of the ancients are full of allusions to these thefts. The history of Virginia, the destined victim of Appius Claudius, teaches us, that adults, and particularly females, were not secure against claims by which they might be judicially robbed of their liberty and honour. In the English colonies, every person of Ethiopian origin, or rather, every person tinged with the colour of that race, is presumed to be a slave, unless the contrary is proved. An individual of the grade of masters, provided the race is pure, may therefore seize upon any person of colour, man, woman, or child, and retain possession, till the freedom of the victim is proved, or another claimant appears. He, who, by fraud or violence, should obtain possession of the documents, which prove that a coloured person is free, may, by this act, convert him into a slave, and to appropriate him to his own use; it is sufficient that he should have him in possession.

It is impossible to describe the misery

and danger which press upon the coloured race, in the European colonies and the United States, by reason of this principle of legislation; we cannot paint the dreadful robberies by which freemen or women are transported from the states of the north, where slavery is abolished, to be sold in those of the south; nor the shameful abuses, even where slavery is abolished, of pretended apprenticeships, in order to hold in real slavery persons who are legally free.\* These evils, it is true, fall only on a race, for whom the whites have shown neither pity nor sympathy; a race, towards whom they are released from all those moral and religious duties, which bind us not to men only, but to every being that can suffer and feel. But the vices of the Europeans must avenge, at last, the negroes' wrongs: we have seen that the children who have sprung from the two races, have approached so near to the whites as to be no longer distinguished. The time has arrived, when children completely white may be stolen from their wealthy relations, and sold as the children or grand-children of mulattoes, beyond the power of recovery.

Proceeding to consider the influence of slavery on the distribution of wealth, M. Comte very justly protests against the morality of the question: "Is the labour of slaves more expensive than the labour of freemen?" This is to en-

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\* These pretended apprenticeships, as our author terms them, though formerly in use in these middle states, are probably now banished from among us. Some rare instances are understood to have occurred, within a few years, of indented minors being removed by the masters to the southern states, and sold as slaves; but this avenue of oppression is now strictly guarded by legislative enactments.

quire, whether the property which the high-wayman wrests from the traveller, costs him less than what is acquired by some other branch of industry. It is even worse; it is to consider the greater part of the human race as a productive machine, whose value is estimated according to its capacity of producing a larger portion of wealth than it absorbs. But, after having shown the improper admissions which constitute the basis of the question, it is still proper to demonstrate, that the labour which one man can obtain from a great number of others, by lacerating them with a scourge, costs him *more*, than what might be obtained by the payment of equitable wages.

We might demonstrate, that the masters themselves would find their interest promoted by the abolition of slavery; but in a national view, which is the one our author has taken, it is much more important. He proves, that the system of slavery, creates, distributes, and accumulates a much smaller quantity of wealth than any other system, by which the labours of society can be executed. In fact, in a slaveholding country, the masters being restrained from labour, both by shame and aversion, their physical force, and even their moral and intellectual powers are lost, as far as the production or preservation of wealth is concerned. On the other hand, the idleness to which they are condemned, gives birth to a passion for sports, or whatever may break the monotony of existence: the delights of the table, dissipated company, games of chance, and all the vices by which the wealth derived from the labour of others is rapidly dissipated. The population consists of masters and slaves; for the intermediate class necessarily disappears—but the slaves

neither possess nor can acquire any thing;\* they are depressed to the lowest point of human degradation. Three causes concur to degrade them; the first is, the care taken by the masters to render them as stupid as possible, in order to secure their own safety; the second is, the labours to which they are subjected, which leave no time for reflection; and the third is, the absence of every inducement to cultivate and enlighten their own understandings. The slave is responsible for the employment of his brute physical force, and for that only; when the master has obtained the product of that force, he has nothing more to demand.

Destitute of intelligence, the slave, with a given amount of labour, produces the least possible effect; destitute of interest in the wealth which he creates, with a given amount of consumption, he destroys the greatest possible quantity, for he has no motive to economise. In a country therefore, where the labourers are slaves, there exists, for the production of wealth, nothing but the physical organs of a servile class, destitute of every principle of intelligence and activity, and stimulated solely by the action of the lash—now, corporal punishments may very well produce certain movements of the

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\* This may be predicated of pure and unmitigated slavery; a state to which the servile class, in some of our *republican* states, probably approach more nearly than any other of the present time. In most of the sugar islands, the slaves are commonly expected to procure their own supplies of food and clothing, from the profits of their *holy-day* labours, hence the right of property is partially allowed them. This part of the West India system, however oppressive in practice, is, in theory at least, a mitigation of slavery, and approximation to freedom.

body, but can never create the energy which springs from choice; and if it could even produce exertion, a force, however energetic, without address, intelligence and moral motive, would be of little avail, in the production, and still less in the preservation of wealth.

We know little of the history of industry among the ancients; it merely appears, that it flourished only where the slaves, yet few in number, were associated with others in their labour, instead of being charged exclusively with it—it was thus with agriculture; it flourished under the hands of the consuls; but as the number of slaves increased in Italy, the fertility of the soil declined, and the country was at length reduced to a pastoral state. We can better judge of the effect on the distribution of wealth, produced by slavery in the colonies. Agriculture is almost the only branch of industry which exists there; but it is exercised without care, and without intelligence—exhausting crops succeed without interruption, and without repose; the slaves, excited by no interest, perform, according to the accounts of travellers, in a given time, a much smaller quantity of work than the free labourers in France are accustomed to effect.\* Hence the provisions derived from the labour of slaves are necessarily dearer. The deterioration of the soil, wherever slavery is established, is a notorious fact in the colonies and in the southern parts of the United States. The trade of the carpenter, joiner or mason, is above the capacity of the slaves; the inhabitants of the southern states, are obliged to obtain, at great expense, tradesmen from the north, to construct

their houses; but these tradesmen immediately disappear, when the works for which they were called, are completed. To keep them in order, or to repair them, it is necessary to wait until, at the end of some years, a new building again brings in the tradesmen from the north. It thus happens, that few of their houses are in good repair; and a table may sometimes be seen, sumptuously furnished and covered with plate, in a chamber where half of the glass has been wanting for a number of years.\* It thus becomes necessary in a slave country, for the masters to derive from strangers a part of their food, and the whole of their manufactures; that they should pay a higher price for all services requiring intelligence, and yet derive from the soil but half the revenue, which might be obtained from one where there were no slaves; for that revenue depends upon the relation between the value of products and the cost of production. Hence, nearly all the masters and owners of land are deeply indebted, and live in continual distress.† According to a report, presented to the House of Commons by the Assembly of Jamaica, the planters there are nearly all burdened with debts, and one fourth of the sugar plantations, have,

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\* Rochefoucauld's Travels in the United States.

† This account of the condition of masters, would appear, in some parts of the southern states, grossly incorrect; as a large part of the cotton planters are well known to abound in wealth. This, however, is the result of temporary and adventitious circumstances. The description, given above, is applicable to slave-holding communities, wherever the effects of the system have had time for their complete and permanent development.

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\* Robins' Travels in Louisiana.

within a few years, been sold by public authority.\*

In searching into the influence of slavery, on the increase of the divers kinds of population, M. Compté dwells particularly on the principle, that as the population can increase only with the augmentation of revenue, and that as each master requires for his support, the revenue created by five or by ten slaves, the number of the masters can only be increased, by an increase, on the side of the slaves, five or ten times as great. But as the servile population, far from increasing in a state of slavery, rapidly decline, the growth of the white population in the colonies, supposes and requires a still greater augmentation of the slave trade, and of all the crimes which spring from it.

The author resumes in these terms, the influence of domestic slavery, on the spirit and nature of government; in a state, where one part of the population is held as property by the other, we find, that a great portion of the magisterial class, are naturally disposed, by the depressed state of their finances, and their aversion to labour, to usurp the power and to seize the wealth created by the other; we find the part of the population who can live only by their own labour, but with whom industry is prevented or degraded by the presence of slavery, are equally disposed to enter into conspiracies, for the depression or destruction of the masters; finally, we perceive, that despotism, even that which is the most oppressive, which weakens or annihilates the power of the masters, is a benefit to the slaves. The efforts of the mass of the population, are there-

fore directed toward the establishment of a despotism in a single ruler; and this despotism, when established, is exercised with a rapacity, cruelty, stupidity, and brutality, which place the masters within the power of the slaves.

Two important truths result from the facts, which have been collected, to enable us to judge of the influence of slavery on the independence of nations. The first is, that those who reduce others to slavery, or, who become the possessors of slaves, place themselves, by this act, between two fires: they are exposed to the danger of massacre from the slaves whom they hold, or to the domination of a foreign power. The second is, that whenever a coalition is formed between the domestic and foreign enemies, the masters are left without the means of resistance.

But it is time to finish this long extract; and yet, seven other books remain to be analyzed: of these, perhaps none are more worthy of our attention than that which treats of the reciprocal influence of slavery upon religion, and of religion upon slavery. But we cannot by our extracts, supply the place of the work which we have analyzed. We only wish to inspire a disposition to examine the original work, by showing the limited extent of the researches into the effects of slavery, which had preceded it; the importance of its history, in that of the human race, the light which it sheds on the rapid decay of the great nations of antiquity, and the miseries which may be expected to overtake the moderns, where this devouring leprosy is permitted to continue. No person will read M. Compté's book, on slavery, without seeing a new light thrown over the subject. Certainly, before we had opened it, we were far from sup-

\* The report is dated February 25, 1825. East and West India sugar.



posing ourselves indifferent to the sufferings of our brethren in bonds, or cold in our sentiments on the subject of slavery; yet the reading of this book, has been to us like a revelation of every thing which this absurd system contains, that is, atrocious, ruinous, and calculated to destroy whatever can give importance to nations, and value to life. Such is the impression which we have received from it, and we ardently desire, that others may be similarly impressed; for we repeat the declaration, so far is slavery from being a calamity peculiar to times that are past, that it is a present and menacing evil, and it prevails among nations who are destined to multiply with extreme rapidity, and who are already masters of the finest portion of the habitable globe. It was, probably, never more important to the destiny of the human race, to present, in its proper light, the necessary character of slavery; and to dry up this copious source of misery, stupidity and crimes, in those countries which are opening to civilization.

#### SCRIPTURE RESEARCHES ON SLAVERY.

(Continued from page 235.)

The supposition that the term Hebrew, used in the statute, (Ex. xxi. 2.) is to be taken in the sense of race, or natural descent, and was designed to apply to native Israelites only, exclusive of those who from other races might be joined to the Lord, and take hold of his covenant, has led some to confine this statute to native Israelites. This supposition is, I think, a mistake. It is authorized neither by the original import of the word "Hebrew," as applied to the patriarchs and families—its use at the time this statute was given—the other words used in the references to this statute—nor to the reasons on which it is founded.

The word Hebrew was not the proper name of any of the patriarchs, and

applied as many proper names to designate their descendants. It was indeed the name of an ancestor of Abraham, six generations back, (Gen. ii. 16.) but if it meant, as applied to the patriarchs, a descent from that ancestor, it ought to have been applied to all who descended from him. It is, however, not applied to any before Abram; and not to him, until after, at the call of God, he "went out by faith, not knowing where he went." It properly signifies a passenger, a pilgrim, and is applied to the patriarchs, (Gen. xiv. 13.) who professed that they were strangers and pilgrims, (Gen. xvii. 8. xxiii. 4. xxxvii. 1. xlvii. 9.)

The apostle, in the epistle to the Hebrews, (xi. 8—16.) teaches us to consider their confession, as a religious confession; as the evidence of their faith in God; and as the reason "God was not ashamed to be called their God." Now the term Hebrew signifying passenger, pilgrim, (what they professed themselves to be,) is applied, as far as I have been able to find, to none but those who were in visible covenant with God. It is applied, not to all the natural descendants of the patriarchs—not to Ishmael, not to the sons of Keturah, not to the family of Esau—but to the holy line and their families, and those associated with them as the visible people of God. "God was not ashamed," says the apostle, "to be called their God." Now the term under which God declared himself unto Pharaoh was, "the God of the Hebrews," "the Lord God of the Hebrews." It is used again and again, (Ex. iii. 18. v. 3. vii. 16. ix. 1. 13. x. 3.) He calls himself the God of Abraham, Isaac, and Jacob, the pilgrims by name and confession, of whom "God was not ashamed to be called their God," (Heb. xi. 16.) and he calls the Hebrews his people, my people, my first born, &c. These expressions evidently mean covenant relation. As to creation and preservation, God was equally the God of all people. As to real personal piety, Israel gave little evidence of it at that time. But they were circumcised, (Exod. xii. 45—48. Joshua v. 5.) and owned as God's visible people. In this sense, God was the God of all who were joined to the Lord, and had taken hold of his cove-

nant. I see not, then, that we are authorized, either from the original import of the word, or its use at the time this statute was given, to take it as meaning native Israelite, and not God's covenant people generally.

A comparison of the places, in which this statute is referred to, will confirm this remark. In Levit. xxv. 39—42, the word brother is used: and that all who were in covenant with God were brethren, none, we suppose, will deny. Deut. xv. 12—15, uses the word Hebrew. Jer. xxxiv. 8—22, refers directly to the first giving of this statute, at Mount Sinai, and uses the word Hebrew, as originally used in the statute; but as the word Jew was then chiefly used, to designate God's people, the prophet explains the word Hebrew, as meaning the same as Jew. (8). He also uses the word brother and neighbour, in the account he there gives, of the entire abolition of the practice of holding their brethren as bondmen, God's approbation of the abolition, and his judgments on them for returning to the practice.

We have, in Neh. v. 1—10, another reference to this law, in which the term Jew and brothers are used. Now, that the term Jew was used, to designate, not barely natural descent, (for that would confine it to the tribe of Judah, and it is seldom, if ever, used in that restricted sense,) but God's visible people, is beyond dispute. When Haman wished to destroy the Jews, he described them by their religious peculiarities, (Esther iii. 8,) and when the plot was defeated, many people of the land became Jews. (viii. 17.)

Cyrus permitted the people of the God of Heaven, to return and set up his worship, (Ezra i. 4,) among those who went up, assisted in building the city and the temple, received possessions, and joined in the national covenant, were many, not of the race of Israel. Ezra ii. 45—60, viii. 15—20. Neh. iii. 2—6, xx. 28, 29. All, however, were called Jews and brethren. Neh. i. 2, iv. 1, 2, v. 1—8, xx. 28, 29. That the terms Hebrew, seed of Abraham, Israel, children of Israel, Jew, &c. are at times used in the sense of race, we readily admit; but when those terms are used in the laws and statutes, given to all God's visible people, they

must be used in such a sense as to include all that people. That the proselyte was to keep the passover, (Ex. xii. 48,)—the feast of unleavened bread, (Ex. xiii. 8,)—to redeem his first born (Ex. xiii. 14, 15,)—to offer his basket of first fruits, and confess "a Syrian ready to perish was my Father," &c. (Deut. xxvi. 5.) with a multitude of things that implied his adoption among Israel; and that in the sense of the law he was a Hebrew, an Israelite, a Jew, is past all doubt. He was one of the circumcision and a debtor to do the whole law. (Gal. v. 3.) To suppose that the law would recognise him as a Hebrew, an Israelite, a Jew, and exact of him the whole burden of its services; but strip him of the title for the purpose of depriving him of the accompanying privileges, is really, to me, a most unaccountable mode of interpreting God's law.

If more proof were needful, we have it in the reasons on which the law is founded—their covenant relation to God. "For they are my servants whom I brought forth out of Egypt; they shall not be sold for bond-men"—"For unto me the children of Israel are servants." (Levit. xxv. 43—55.) This reason embraced all, who were circumcised and took hold of God's covenant. That was the token of the covenant; and while they obeyed the law, they were, by the token God appointed, the servants and people of God. Gen. xvii. Ex. xix. 5, 6, Levit. xxvi. 12, 13.

The New Testament phraseology agrees with this. It uses the term Jew and circumcision as synonymous, and as embracing all who are sensibly in covenant with God. "Is he the God of the Jews only, and not of the Gentiles also?" Seeing it is one God, which shall justify the *circumcision* by faith, and the *uncircumcision* through faith, (Rom. iii. 29, 30.) "Christ crucified, is to the Jews a stumbling-block, and to the Greeks foolishness; but unto them which are called both *Jews* and *Greeks*," &c. (1 Cor. i. 23, 24.) "They heard that the *Gentiles* had received the word of God—and when Peter was come to Jerusalem, they of the *circumcision* contended with him, saying, thou wentest in to men *uncircumcised*, and didst eat with them." (Acts xi. 1—3.) "When they saw that the gospel of the *uncir-*

*circumcision* was committed to me, as the gospel of the *circumcision* was to Peter, (for he that wrought effectually in Peter to the apostleship of the *circumcision*, the same was mighty in me towards the *Gentiles*)—they gave the right hand of fellowship, that we should go to the *Heathen*, and they to the *circumcision*." These, with hundreds of other passages, prove that *Jew* is used not only nor chiefly in the sense of race, but of covenant people.

The only objection worth noticing that occurs to me against the above exposition of the law, arises from what is said, (Ezra ix. 2—10. x. 3. Neh. xiii. 25.) respecting strange wives; and what is said (Levit. xxv. 44.) respecting having bond servants of the heathen. Both admit of explanations perfectly satisfactory.

We need but examine the law forbidding to intermarry with the heathen, (Deut. vii. 3, 4.) to see that their idolatry and false religion were the cause. In the case of proselytes, that cause was removed, and no law prohibited intermarrying with them. The cases of Rahab, and Ruth, are in point. That Solomon's strange wives were not proselytes, but idolaters, is proved by the fact, that each of them followed the idolatry of their countries, and led Solomon astray with them, (1 Kings xi. 1—8.) That those put away under Ezra were not proselytes to the true religion, we may infer from the facts, that the law considered proselytes as born in the land, as naturalized; that those of other races, who separated themselves to the law of the Lord from the abominations of the heathen, entered into covenant, and were called brethren, (Neh. x. 28, 29.) that if the question had been as to race, it might most likely have been decided at once; whereas months were spent in deciding who should be put away, (Ezra x. 15—17.) The whole case shows, I think, that the question was not as to race, but as to separation from the pollutions of the heathen, to the law of the Lord.

The question put to the apostle Paul by the church at Corinth, which he answers 1 Cor. vii. 12—15. appears to have originated from this case—whether, under the gospel, a believer might or might not live with an unbeliever,

or must separate? The apostle states, that in the case of marriages before they embraced the gospel, they might live together. If they separated, they must remain unmarried. But in another place, (2 Cor. vi. 14.) most earnestly urges professors not to form those unequal connections.

The chief objection to our view is drawn from the supposed permission of Levit. xxv. 44. to hold heathen slaves. I am satisfied that this passage admits of an explanation, in accordance with the view above given—an explanation more satisfactory, I think, than can be given to the seeming permission of polygamy, divorce, &c.

It will not be pretended that this passage made it the duty of Israel to hold slaves. It will only be said, it permitted it. The question then naturally arises, did other parts of their law—did the events of Egypt—did the repeated charges not to oppress others, as the Egyptians oppressed them—did the limitations of slavery, approve of their doing, what this passage is plead as permitting—holding slaves for life? Most assuredly they were against it. All then that ought and could with fairness be inferred from this passage, was, that the buying and holding a heathen in slavery, under the restrictions of the limiting laws, was not made punishable by the judges.

But why, it may be said, was it not positively forbidden, if against the spirit of the law? And I would ask, why was not the selling of a brother positively forbidden? Why was not polygamy, divorce, the humbling of a captive, the changing their form of government, positively forbidden? Most of our readers will, we suppose, admit they were wrong?

While there is tenfold more in the law of Moses against slavery, than against either of the above practices, more satisfactory reasons can be given, why it was not totally forbidden, than is found in any of the above cases.

Israel were surrounded by idolatrous nations, who practised slavery. She held out to them an example of a free government, of personal liberty, and true religion. Those in the lower walks of life—those in affliction as slaves, are often more inclined to religion than those in prosperity.

Had Israel been totally prohibited from purchasing heathen slaves, that whole class of persons would have had little opportunity of learning any thing about the true religion. The law did not positively forbid it; especially, if done, not with a view to hold them in perpetual slavery, but to teach them the true religion—unite them to the church—treat them as brethren, and let them go out free, as soon as, at the rate of a hired servant, (Levit. xxv. 39—42.) they had repaid their purchase price—or at most after six years. A law and a practice of this kind—in the love and kindness, and good will, and respect for the feelings and desires and interests, both temporal and spiritual, of others, so earnestly enjoined in their law, could not but make an impression on the nations about them, peculiarly favourable to them and the true religion. Well might the heathen say, “what nation hath statutes and judgments so righteous as all this law?” (Deut. iv. 8.) How desirous would the oppressed and enslaved be to be sold to the Israelite, that they might leave their religion, and become free! and be received as brethren!

Every year the Israelites might purchase many, and unite them to the church, and allow them, as soon as they had repaid their purchase price, to go out free. Much of their labour in the house and in the field might be thus performed—the heathen might be, in this way, an inheritance to their children—while in fact, nothing that deserved the name of slavery was practised, while many were delivered from bondage, and brought to the knowledge of the true God, and incorporated with Israel.

This limited servitude of their brethren was abused, and in the time of Jeremiah (xxxiv. 8—22.) it was wholly abolished by a national covenant. A return to the practice after its abolition, was most severely punished by the destruction of Jerusalem, the slaughter of most of those that dealt so harshly with their brethren, and a captivity of the whole people for seventy years. After the return from the captivity, on an attempt to review this practice, the matter was again solemnly condemned by Neh. (v. 1—13): after which, I know not that the Jews

have ever held their brethren, the proselytes of righteousness, in bondage. And the Mosaic law, as I have shown, most clearly intended, that all their bought servants should be circumcised and keep the whole law—in other words, be proselytes of righteousness—and that none others should be retained in their families.

(*To be continued.*)

#### REMARKS ON THE NATIVE RACES OF AFRICA.

(*Continued from page 240.*)

Having surveyed the wandering tribes scattered through the great desert, who were perhaps once confined to the heights and valleys of Mount Atlas, we proceed to the countries which lie southward of the Zahara, and in the first place to Western Negroland, or Guinea.

In this part of Africa, though a few instances occur in which particular nations are extensively spread, we find, in general, that the whole country is divided between a great number of small and distinct tribes, who have no connection with each other that can be discovered by resemblance of languages, or by any other traces. On passing over a river, or a ridge of mountains, the traveller finds the race of men completely changed, as far as the race is to be distinguished by customs and peculiar language. There remains in some places, a tradition of great empires which have been dismembered, but they are so completely disintegrated, that the petty tribes within their pretended limits, have lost all vestiges of any connection with each other.

*Nations bordering on the rivers Senegal and Gambia.*—In the most northerly tract of Guinea, we meet with three nations of considerable extent and celebrity. I mean the Yolloffs, the Mandingoes, and the Foulahs, who, though they occupy contiguous countries, are distinguished from each other in form, complexion and manners, and appear to be entirely unconnected by language.

*Yolloffs.*—The country between Senegal and Gambia, from Cape Verd, as far as the boundaries of the Foulahs, is the abode of the nation of Yolloffs, or Yolloffs, who were formerly united un-

der the dominion of the Bourb Joloff, or Joloff Emperor, but are now divided into several states. The Yolloffs are described by travellers as a very fine race of people: they are tall, well made, of noble stature, their countenances are ingenuous and agreeable, but have, in some degree, the flat nose and thick lips, common to many negro nations, though many of them have regular features. Their hair is crisp and woolly; their colour is a fine, deep, clear black. They are cheerful and indolent. They have a peculiar language, which is said to be harmonious. This circumstance, that the Yolloffs at the northern extremity of Negroland, are of a deep black colour, has drawn the following remark from a traveller well acquainted with the nations of Africa. "This race of negroes, the most handsome and the finest black of all those dependent upon the government of the Senegal, proves, that the deepest colour does not arise solely from the heat of the climate, nor the being more subjected to the vertical rays of the sun, but results from other causes. For the Joloffs are to the north of Nigritia, and the further you recede from them and approach towards the line, the black colour of the negroes becomes less strong and unmingled."

*Mandingoes.*—The Mandingoes are a numerous and widely extended race in Western Africa. Their original country does not appear to be exactly known; it is supposed by some, to be situated between the sources of the Gambia and the town of Kong, in a mountainous part of Africa. They now form many states on both sides of the Gambia; on the right bank, the kingdoms of Bana, Kolla, and Yani, are peopled by Mandingoes. In the interior, their language is spoken; Bambouk and Bambarra are Mandingo states. In fact, the Mandingoes constitute the bulk of the population, in all those parts of Africa through which Mungo Park travelled. The Mandingoes are docile, cunning, indefatigable—their colour is black, with a mixture of yellow; their features are regular, and somewhat resemble those of the natives of India, being much smaller than the lineaments of other negroes, and their faces being longer. Both the Mandingoes and Yolloffs clothe

themselves in cotton shirts, and garments of their own manufacture.

*Foulahs.*—A third nation, which has long been the most powerful in northern Guinea, are the Foulahs. The principal body of this people occupies an extensive mountainous country around the sources of the Senegal; Gambia, and Rio Grande, which is termed Fouta-Jallo. The city of Tumboo is their capital, and contains about 9,000 people. Like ancient Rome, it is a military residence, and the centre from which the neighbouring countries have been subdued. The natives of this territory are industrious and intelligent—they cultivate the soil, have horses and cattle, and work in iron, silver and leather. Tumboo was visited in 1794 by two Englishmen, Messrs. Watt and Winterbottom; and in 1818, by M. Mollien, a Frenchman. Besides Fouta-Jallo, the Foulahs possess many other states in Africa—one of them is Fouta-Torro, on the Senegal, to the eastward of the Yolloff country. Here they are known by the name of Poules—they possess Bondou, Massina, and many countries on the Niger, even as far as Bornou. Wandering tribes of the same people, are found to the northward in the great desert, under the name of Fellata, who have extended their incursions to the neighbourhood of Fezzan. These Fellata have been identified with the Foulahs of the Senegal, by the comparison of dialects. Mr. Park, who traversed a part of the country inhabited by the Foulahs, says, that their complexion is not black, but of a tawny colour, which is lighter and more yellow in some states than in others. He observes, they have small features, and soft silky hair, without either the thick lips or the crisp wool, which are common to the other tribes in the vicinity. They are agricultural and pastoral people, of gentle manners and dispositions—they rank themselves among white people, and look upon the neighbouring nations as their inferiors.

Dr. Winterbottom, to whom we are indebted for the most accurate and important information respecting the inhabitants of Western Guinea, observes, that the Foulahs are, for the most part, of a lighter complexion than their neighbours on the west. He adds,

"but though less black than some of their neighbours, the Fouta complexion can only be regarded as intermediate between the darkest African and the Moor."

Monsieur Golberry, a lively and entertaining writer, and a man of correct observation, has given us the following description of the Foulahs: "The legitimate Foulahs are very fine men, robust and courageous—they have a strong mind, and are mysterious and prudent; they understand commerce, and travel as merchants; they are formidable to their neighbours. Their women are handsome and sprightly; the colour of their skin is a kind of reddish black, *noir rouge*; their features are regular, and their hair is longer, and less woolly, than that of the common negroes."

However, there are other tribes or families of Foulahs, of much lighter complexion than those above described. These are regarded by M. Mollien as a people of distinct race, though speaking the same language as those whom he terms black Poules, meaning the present inhabitants of Fouta-Jallo. The red Poules are thus described by Mollien: "The genuine, or original Poules, are of a red or coffee colour, they are of weaker person and constitution than the black Poules; their features are like those of Europeans, except that their lips are somewhat thicker; their hair is long, but a little woolly. The women are well made, and pretty when young. Individuals are not unfrequently seen among the red Poules, who are nearly as fair as Europeans; M. Mollien mentions one, whom he supposed to be an Albino, but on examination he was convinced of his mistake. These red Poules, according to Mollien, are not the majority of the nation, but form wandering tribes, who are met with for the most part in the outskirts of the Foulah country, or in the surrounding solitudes. The present Foulahs of Jallo, are descended, says Mollien, from the red Poules and the Jalonka. The Jalonka nation are the inhabitants of a mountainous district—these people themselves, are said, by Mollien, to be of a reddish colour. He conjectures, the Jalonka to be the aboriginal inhabitants of Fouta-Jallo, and supposes the Foulahs, as well as the blacker race

of Yolloffs, to have come originally from the north of Africa—they were mentioned, however, by Jobson, in the seventeenth century, in the countries where they now reside.

The Foulahs and the Jalonka afford us the first example of a kind of people, of which many other instances occur in various parts of Soudan, where, in the midst of black nations, tribes of red or copper coloured people are found, in insulated districts, and chiefly in the mountainous tracts. The country of the Foulahs is of great elevation; it contains the sources of many great rivers, as the Senegal, Gambia, Rio Grande, and, according to Mollien, the Niger.

*Nations of inferior note.*—Some other nations of inferior note, are mentioned by travellers in this region of Africa; among these are: 1. The Serawolles, or as the French call them, Seracolets, are an active and intelligent people; engaged in traffic; supposed to constitute a distinct nation. They inhabit the kingdom of Kajaaga or Galam, on the southern bank of the Senegal. Their language is peculiar to them; it has, however, never been accurately compared with the vocabularies of the neighbouring nations, and may perhaps bear some affinity to the Mandingo. Mr. Park says, their complexion is a jet black; they are not to be distinguished in this respect from the Yolloffs.

2. The Serreres are tribes of naked savages, who wander with their flocks about Cape Verd, and in the neighbourhood of the Yolloff countries. They are considered as a distinct people, and by some thought to be the most ancient inhabitants of these parts. A considerable resemblance has been observed in their vocabulary to that of the Yolloffs.—*Prichard.*

#### TRIAL BY JURY.

Few peculiarities in our common law have called forth higher eulogiums from English and American lawyers, than trial by jury. That in criminal prosecutions, the party accused should be secure of acquittal, unless his guilt is proved to the satisfaction of each in-

dividual composing a tribunal, selected from an intelligent and unprejudiced community, is justly considered as one of the most important securities to liberty and life, which has been woven into the system of modern jurisprudence. "It is wisely ordered," says Judge Blackstone, "that the principles and axioms of law, which are general propositions, flowing from abstracted reason, and not accommodated to times or to men, should be deposited in the breasts of the judges, to be occasionally applied to such facts as come properly ascertained before them. For here partiality can have little scope; the law is well known, and is the same for all ranks and degrees;\* it follows as a regular conclusion from the premises of fact pre-established. But in settling and adjusting a question of fact, when entrusted to any single magistrate, partiality and injustice have an ample field to range in. Here, therefore, a competent number of sensible and upright jurymen, chosen by lot from among those of the middle rank, will be found the best investigators of truth, and the surest guardians of public justice. For the most powerful individual in the state, will be cautious of committing any flagrant invasion of another's right, when he knows, that the fact of his oppression must be examined and decided by twelve indifferent men, not appointed till the hour of trial; and that when once the *fact* is ascertained, the law must of course redress it. This, therefore, preserves in the hands of the peo-

ple, that share which they ought to have in the administration of public justice, and prevents the encroachment of the more powerful and wealthy citizens. Every new tribunal, erected for the decision of facts, without the intervention of a jury, (whether composed of justices of the peace, commissioners of the revenue, judges of the court of conscience, or any other standing magistrates,) is a step towards establishing aristocracy, the most oppressive of absolute governments."\* "In a question of *law*," says Lord Coke, "the judges, not the jury, shall answer; but in regard to a question of *fact*, the jury, not the judges, shall decide."

So important was the preservation of this portion of the English law adjudged by the framers of the constitutions, both of the United States and the individual states, that few of them ventured to entrust its observances or neglect to the legislative or judicial authorities. From Maine to Louisiana, with but two or three exceptions, we find the right to a speedy and public trial by an impartial jury, secured by the constitution. This simple fact furnishes its highest encomium.

Let us now inquire, whether a large part of the community are not virtually deprived of the rights, which the principle, if not the letter, of these constitutional provisions, guarantees to them. By a law of the United States, already cited,† a fugitive slave, escaping from one state or territory into another, may be seized by the owner, his agent or attorney, and carried before a judge, or justice of the peace, by whom the question of right may be decided, and the fugitive consigned to

\* This unfortunately is not strictly true in this land of equal laws and free institutions. Numerous instances to the contrary, must be familiar to the readers of this journal.

\* Commentaries, Book III. Chap. 23.  
† See pages 173, 174.

the claimant, for the purpose of removal to the state or territory from which the elopement was made. The state of Pennsylvania is the only one, as far as I am informed, that has undertaken to curtail the authority of its officers, in the execution of this law. The act of 1826, has very greatly increased the difficulty, of carrying away from the state a free coloured person, under the character of a fugitive slave; yet even this law, important as it unquestionably is, virtually constitutes a tribunal for deciding a question of *fact*, which, according to the observation of Blackstone, ought only to decide upon questions of *law*. The case of a fugitive from labour, may be supposed analogous to that of a fugitive from justice; and this supposition may be strengthened by their contiguity in the constitution of the United States—they are, however, widely different. “A person *charged* in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the *executive authority* of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.” Delivered up, for what? To be immediately consigned to the penitentiary or the gibbet? Or to the avenger of blood? No such thing, but to the legal tribunals, in order that the truth or falsehood of the *charge* may be investigated; that the fact of his innocence or guilt may be determined by an *impartial jury of his peers* (parae,) and if proved to be guilty, that the punishment awarded by the laws may be inflicted.

Very different, both in contemplation of law, and in point of fact, is the case of the fugitive from labour. “No person held to service or labour in one

state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour; but shall be delivered up, on claim of the party to whom such service or labour is due.” Though the word *slave* is here, as in other places in the constitution, studiously avoided, this article has always been considered as relating to slaves; and plainly amounts to this; that no state shall legislate for another; that those whom the laws of any state have subjected to the servile yoke, shall still be slaves, notwithstanding their elopement to a state where that condition is proscribed or unknown. Whether this constitutional provision is to be considered as a compromise, or as the recognition of a right, there are probably few, if any sober politicians who would wish it changed. However we may disapprove the whole system of negro slavery, we do not covet the privilege of legislating for our brethren of the south, nor desire to break, even their iron sceptre of slavery, with a ruthless hand. It is proper, however, to remember, that while we disavow the wish to interfere with the legislation of the south, we claim in return the right of protecting our own people, whatever shade they may assume, from the grasp of lawless authority. The constitution does not require, that every person *claimed* as a fugitive from labour, shall be given up to the claimant. A difference of the phraseology, clearly marks the difference of the cases of these two descriptions of fugitives. The person *charged* with a crime is to be given up *for trial*; the *slave* escaping to another state is to be given up to his owner, to return into slavery. But here a *fact* is to be established, before the alleged fugitive is



to be surrendered. When a person is arraigned before his proper tribunal, and charged with a crime, the fact of his guilt is determined by a jury, before the judge can pronounce the sentence of the law. When an alleged fugitive from labour is claimed, the *fact* must be determined by some tribunal, before the claim can be allowed.

The free states cannot emancipate the *slaves* that escape to them from the south; they must give them up, on claim of the party to whom labour or service is due. But they are bound in justice to their own coloured population, to require, that *proof* should be made, that the person claimed is really a slave, before they deliver him up. Who then is to judge, whether proof has or has not been made? The laws of the United States answer, a judge of the Circuit or District courts, or magistrate, &c.—the laws of Pennsylvania say, a judge of the proper county; Lord Coke and Judge Blackstone, pronounce an impartial jury the proper tribunal to determine the *fact*. If a man, whether black or white, is charged in the free states with a crime, which, if proved, will subject him to a few months' confinement in the penitentiary, he must be tried by an impartial jury, toward whom he may exercise the right of challenge, be allowed counsel for his defence, and if the prosecutor fails to remove from the minds of the jury all doubt of his guilt, he must be pronounced innocent;\* but a man, who

has the misfortune to wear an African mantle, being claimed as a slave, is tried for his freedom during life, by a single judge, against whom no right of challenge is admitted, and from whose decision there is no appeal.

The constitutional article, as already observed, applies to real, not merely alleged fugitives from labour. And the law of the United States appears to have been founded on the supposition, that no illegal claims would ever be made; for surely the congress of 1793, with Washington at their head, never designed to place the liberty of freemen at the mercy of the inferior officers designated in the law. This seems to be legislating, as far as the blacks are concerned, upon a principle opposite to that usually assumed in law. In criminal prosecutions, the accused is always to be presumed innocent, till the contrary is proved. In some at least of the slave-holding states, it has been held, that every black man must be considered a slave till his freedom is proved, upon the ground, that all the negroes imported into these states were slaves, and therefore, the probability is, that the person in question is a slave. Applying this kind of reasoning to the coloured population found in these non-slave-holding states, the presumption would always be in favour of freedom; for a vast majority of them are undoubtedly free. We must therefore presume, when a man, found in a non-slave holding state, is claimed as a fugitive slave, that the claim is illegal, and till the fact of slavery is proved to the satisfaction of an impartial jury, the man must be considered as free. Here there are two claimants to the bones and sinews of a living man; the justice of the respective claims is to be deci-

\* To the conviction of a crime, the undoubting and the unanimous sentiment of the twelve jurors, is of indispensable necessity. The consequence, therefore, unquestionably is, that a single doubt, or a single dissent, must produce a verdict of acquittal.

*Wilson's Lectures on Law*, Vol. ii. p. 35.

ded. The alleged fugitive is the claimant in possession. If, in one of the free states, a man, whatever may be his complexion, is found in possession of a horse or an ox, he cannot be permanently dispossessed at the fiat of a magistrate or judge. The question of ownership must, in the last resort, be decided by a jury. The question of ownership, when the man himself is claimed, is, equally with the former, a question of *fact*. If the person claimed is a free man, the judge or magistrate has no authority to make him a slave. If he has escaped from another state, and from the service of one, to whom, according to the existing laws of that state, his labour or service is due, our judge or magistrate has no authority to declare him free. The whole turns upon a question of fact. Decide that fact, and the case, in point of law, becomes a clear one. To secure the impunity of an alleged criminal, until his guilt has been proved to the satisfaction of an impartial jury—to adjudge the possessor of property, beyond a very limited amount, the rightful owner, till the contrary is proved to the conviction of a similar tribunal; and yet to leave the question of personal freedom, or hereditary slavery, to the decision, without the possibility of appeal, of a single magistrate or judge, is too obvious an anomaly in legislation, to admit of a rational defence.

It may be said, that a coloured person, claimed as a fugitive slave, being given up, and removed to the state from which he is said to have eloped, may still prosecute his claim to freedom, and have the question brought before the proper tribunal, and that a trial by jury, in such case, is still attainable. In some of the southern

states, that is unquestionably the case, provided he can excite sufficient interest among the white citizens, to procure a protector. But, supposing a coloured man, who is legally free, to be claimed by an unprincipled dealer, and that, by perjury or other means, a judge or magistrate is prevailed upon to grant a certificate for his removal to a southern state, what is the prospect of his ultimate release? He is carried, as a captive, wherever his possessor may choose to convey him. The power is all on the side of the master. The certificate of the judge or magistrate is ample testimony of the legality of his authority. The person, thus reduced to slavery, is evidently in a worse situation than if he had been kidnapped. For the kidnapper has no authority to exhibit, but possession; he may be stopped in his course with less danger, and his character is universally odious; but the ostensible owner, with a judge's certificate, is doubly armed. The presumption, as well as appearance, would evidently be in his favour. The slave, ignorant of the characters of those among whom he is carried, and subject to the arbitrary control of his holder, would not easily bring his cause before any tribunal, but that of his immediate possessor.

But, imagining these difficulties surmounted, and the question of ownership fairly brought into one of the courts of the south, the case is materially changed from what it was before the first decision. The man is black; his colour is evidence against him; the claimant is the ostensible owner; he has a certificate, which, if it is not legal testimony of his right, can hardly fail of an influence in his favour: the burden of proof is thrown on the slave; his witnesses can be pro-

cured only at a heavy expense, and when procured, they are probably rejected as incompetent, because of their colour, though the circumstance of similarity of colour constitutes no inconsiderable claim to credibility; for similarity of colour is generally the passport to familiar acquaintance. These, and other circumstances, being duly considered, we readily perceive, that the grant of a certificate for the removal of an alleged fugitive from a free to a slave-holding state, is virtually decisive of his fate. It is, therefore, undeniable, that the tribunal before which this question is tried, decides upon a question of fact, which, according to the acknowledged principles of law, belongs to a jury, and not to a judge, to determine.

#### REMARKS

*Upon "An Address on the Progress of Manufactures and Internal Improvements in the United States, and particularly on the advantages to be derived from the employment of Slaves in the manufacturing of Cotton and other goods. Delivered in the Hall of the Franklin Institute, November 6, 1827, by Thomas P. Jones, M. D."*

IN calling the attention of my readers to this address, I am far from desiring to intimate an opinion, which the author expressly deprecates, that he is an advocate of slavery, or willing to promote any measures which are calculated to perpetuate that harsh institution. It would be with the greatest reluctance that I should adopt such an opinion, and certainly could not justify to myself, the attempt to stamp such a stigma upon so respectable a character. I must, however, be allowed to suppose, that the tendency of the doctrines contained in some parts of the address,

and those not the least prominent, is unfavourable to the cause of emancipation. The establishments, for which he so earnestly pleads, and which he asserts the philanthropist and political economist must hail with equal pleasure, appear to me, if carried into effect, likely to rivet more firmly the fetters of slavery. The author has, indeed, advanced an opinion, that the formation of extensive manufactories, in which the operatives are slaves, or at least negroes, will improve the condition of the slaves, and pave the way to their ultimate emancipation. The manner in which these effects are to be produced, is not clearly stated; we have, therefore, ample room to suppose that a contrary result may arise.

We are told, that, for a considerable period, the planters, in many places, have found it extremely difficult to pay their current expenses, and to feed and clothe their negroes, from the annual produce of their lands; and thousands have removed to the more fertile regions in the western states, not with a view of accumulating wealth, but merely for the purpose of obtaining a ready and abundant supply for their negro families; thousands more of our southern fellow citizens will be compelled to adopt the same expedient, unless some new resource be obtained. This is, in effect, an acknowledgment that the exhausted soil no longer supports the expense of slave cultivation; or, in other words, that the labour of the slaves will no longer support their masters and themselves, and that the slave-holding system requires for its support, some new resource, or a richer soil. This, to the philanthropist, affords a pleasing, rather than a painful prospect. Not that the masters should be embarrassed, but that the

value of the slaves should be small. The subject of regret is, that the new and fertile soils of the west should be subjected to the same depleting regimen, and slavery find an asylum in which to maintain a sombre existence for ages to come. Disinterested benevolence is lovely in theory, and not less so in practice, where it can be found; but experience of mankind, I fear, will warrant the conclusion, that motives of interest point the course, and stimulate the exertions, of a majority of our race. The Author of our existence has diffused into the nature of things, a principle, by which moral evils tend to exhaust their own supplies. This principle is the *vis medicatrix* of nature. In regard to slavery, it is particularly important. Slave cultivation, by exhausting the soil, diminishes the profits of labour, and thence the value of slaves. When the labour of the slave will no longer afford a surplus beyond the expense of rearing and supporting him, the temptation to retain him in that unnatural state is removed, and his emancipation becomes a natural result. If this state of things can be avoided only by emigration, attachment to the land of their birth, and aversion to encountering the hardships attendant on the formation of a new settlement, will unquestionably prevent many from resorting to that expedient. Hence, under such circumstances, emancipations will be more frequent than where slave labour is profitable. In most of the British colonies, official returns have been made within a few years, of the slave population, the number of manumissions, and the average value of slaves. And the number of manumissions appears, as might be expected, generally, if not always, greatest,

where the price of slaves is least. Thus in Barbadoes and Demerara, where the slave population is nearly the same, and the legal obstructions very similar, the number of manumissions effected in a given time, is nearly in an inverse ratio to the price of slaves. In the former, where the average value of a slave was £28, the number of manumissions was 408. In the latter, where a slave was worth £86, the manumissions amounted to 142. In Berbice, where the slaves appear to have been worth about £90 each, we find 49 manumissions out of a population of 22,000; but in the Bahamas, where the average value of a slave was £21 8s., the manumissions for the same time, are stated at 176, out of a population of 9,500 slaves, or a ratio, on equal numbers, of more than 8 to 1. If, when by the exhaustion of the soil, the value of slaves, employed in the labours of the field, has been nearly annihilated, the introduction of manufactories should furnish new and profitable employment for this class of labourers, the necessary consequence would be, that their value must rise, and the temptation to augment their numbers, by importations or otherwise, must increase. Hence, instead of a disposition on the part of the masters, to prepare them for freedom, and to promote their emancipation, they would cling more closely to what they would consider their valuable property, and frown upon every attempt which might be made to enlighten the minds of this servile class. For it is generally well understood, that knowledge in a slave, beyond what is requisite for the performance of his allotted service, is dangerous to his master.

The Doctor appears to suppose that when the condition of the master is

prosperous, the comforts of the slave must be increased. This, however, is not necessarily the case. When the slave is employed in the production of commodities intended for exportation, the exactions of the master will increase, as the value of the exports advances. With the improvement of the foreign market, the attention must be directed from cultivation for home consumption, and the support of the slave be thus rendered more dependent on foreign supplies. This is illustrated by the case of the Bahamas compared with Jamaica, Demerara, and Berbice. In the first, where the soil is too much exhausted for the production of sugar, the slaves are generally well fed, and their numbers increase; in the others, where the staple productions are designed for exportation, the poor slaves are gradually wasting away from excess of toil, or deficiency of food.

The Doctor informs us, that the extensive introduction of the manufacturing system would furnish employment to the poorer class of whites, among whom there is a large number of widows and orphans, and render them a mine of wealth instead of a burden to the community. If the operatives were to be whites, this would be the natural result of such establishments; but if the manufactories are to be peopled with slaves, with perhaps a white machinist, and a manager or two, it is not easy to discover where these orphan children are to find employment. If the negroes are peculiarly fitted for these employments, as he tells us they are, and their labour cheaper than that of free men, I confess myself unable to perceive in what way the poorer whites are to be converted into a mine of wealth, or how their condition is to be essentially im-

proved by the change; for there is little doubt but the stations of machinist and manager will be filled by persons of a higher grade. Whether slaves are employed in agriculture or in manufactures, if *they* are the operatives, the poorer class of free persons must gradually melt away. It is not to be expected that the free should mingle with the slaves in the daily labours, either of the field or the workshop. The free would consider it a degradation, reducing them to the level of slaves, and the owners of slaves would consider such companions injurious to them, from the natural tendency of such association to imbue their minds with a desire for freedom. This jealousy is strongly marked in the laws of several of the slave-holding states. To what other principle can we ascribe the exclusion of such coloured persons as have recently obtained their freedom?

The opinion that slaves might be employed as operative mechanics, under the care of skilful directors, in large manufactories, where labour saving machines are in use, can hardly be controverted. But that negroes, slaves I presume were meant, are peculiarly suited to this purpose, is an opinion not easily reconciled to the lessons of experience, or to my ideas of the moral government of the world. With regard to the last, it may be observed, that whatever allowances we may be disposed to make for those who were born and educated in the midst of slavery, we must, as Christians and Americans, agree that slavery is radically wrong; that to defend the practice on any general principle of right, would be to outrage the understandings of men. The assertion, that any part of a system, whose foundations

are laid in violence and wrong, is more advantageous than that which is based upon justice and right, is liable at once to suspicion, if not to reprobation. Upon this ground, then, the sentiment advanced by the Doctor, and which indeed appears as the burden of his theme, might perhaps be safely condemned without further inquiry. This summary decision may probably appear to some to be cutting, instead of untying, the gordian knot. What then are the reasons which the Doctor, or his authorities, have given for this opinion? When the Doctor suggests, but declines discussing, the question, whether negroes are inferior in intellect to the whites, he would appear to have had the race, without regard to their condition, in his view. But when he immediately proceeds to show that a very moderate share of intellect is sufficient for the purpose contemplated, and that persons whose understandings are of the lowest order, frequently perform, by dint of habit, their accustomed operations with a dexterity which others, with minds of a much higher grade, might emulate in vain, he seems to have been thinking of slaves, and to have tacitly admitted that very inferiority into which he had just pronounced it improper to inquire. This admission is more distinctly marked in the observation, that the deficiency of the negroes in imagination and inventive genius is to be thrown into the scale of advantage, rather than objected to them, as operative mechanics. He afterwards proceeds to show, that many of the negroes, whether slaves or free men he has not informed us, have learned and practised the mechanic arts. This, however, does not prove their *peculiar* fitness for these arts, or the business in which he proposes to

employ them; for whites, as well as negroes, have practised all the arts to which he has alluded. To establish the proposition that negroes are peculiarly suited to the performance of the labour in manufactories, two things ought to be proved;—1st, That the capacities of the whites are different from those of negroes. 2d, That the intellects of the whites are too high or too low for the employments in question, and that those of the negroes are pitched to the proper key. Neither of these points has he even attempted.

The Doctor speaks of negroes, without distinguishing between the free and the bond; but the Mississippi essayist whom he quotes, and whose opinions he would appear to have adopted, comes out with the positive declaration, that *slaves* are the most profitable of all *operatives* in the business of manufacturing coarse fabrics, where ingenuity has furnished them with suitable machinery. This he tells us is *demonstrably* true; but whether the subsequent remarks are intended as a *demonstration* of it, is not very clear. We are told, indeed, that slaves are employed almost exclusively in the great factories of Lexington, Paris, Danville, &c. in Kentucky. "Why," says the essayist, "are slaves employed? Simply because experience has proved that they are more *docile*, more constant, and *cheaper*, than free men, who are often refractory and dissipated; who waste much time in visiting public places, attending musters, elections, &c. which the *operative slave* is not permitted to frequent." This argument, if it proves any thing, proves too much; for it applies to field labour, as well as to manufactories; and leads to the conclusion, that slave labour, in general, is more profitable than that of free

men. This, when connected with its sister doctrine, which, with the necessary admissions, is equally *demonstrable*, that the slaves are better off than the free, goes far towards supporting the consoling conclusion, that slavery is the most eligible condition of man. But is the argument sound? Is the reason why slaves are employed in a slave-holding state, the one above given? If free men have been tried, and the profits *fairly* computed, and compared with those resulting from the labour of slaves, then, but not otherwise, experience may be urged. Why are free men employed in the lucrative factories in the eastern and middle states, where they manufacture, not *coarse cotton or hempen bagging*, but all the finer productions of the spindle and the loom, but because experience has proved that free men are the most docile, most constant, and the cheapest operatives? Because where slaves are unknown, little time need be spent by the free operatives in attendance on musters; and because the hope of reward and the fear of starvation, are more powerful stimulants to exertion, than any which can be applied to the slave? It will probably be said, free men are employed there because no others can be had. Is not this also the reason why *slaves* are employed in Kentucky? If we are to admit the estimates of J. T. Kelly, given in the Doctor's note, as an approximation to the truth, it is evident that free labourers are in great measure excluded from Virginia, and probably from Kentucky, by the *presence*, rather than the *cheapness*, of slave labour.

Wherever slave labour and free have been brought into fair competition, the advantage has always appeared on the side of the free. An attempt to change

a result which unavoidably arises from the nature of the labour, by varying the objects to which that labour is applied, is like an effort to produce a self-moving machine, by the complication of its parts, though every wheel and lever in it contain a principle of repose.

With equal amounts of physical force, the advantage must always incline to the side which contains the largest portion of intellect. Slavery, however modified, cramps the intellectual powers; and, with correspondent employments, produces a class inferior to the free. The profits of free labour may be reduced to the least that will support the operatives, and keep up the race; the labour of slaves must support them and their masters, or be ultimately ruinous to both.

The subject is an important and complicated one; but the length to which this essay has already been drawn, reminds me the reader's patience ought not to be abused. I shall therefore just add, as the sum of the matter, that neither experience nor the nature of things warrants the conclusion, that slaves are more profitable operatives than free persons; that such a doctrine impeaches the moral government of the Creator; and if established and reduced to practice, it would remove to an immeasurable distance, the hope of the abolition of slavery in our southern states; and leave the advocates of humanity to the melancholy expectation, that slavery must at length expire in that favoured region, amidst the scenes of conflagration and blood which marked its exit from the shores of Hayti.

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WEST INDIA STATISTICS.

A BOLD attempt having been made of late to refute the positions we have

maintained, that the slave population of the West Indies is decreasing, and that such decrease is mainly connected with sugar cultivation, it appears to be the least exceptionable mode of arriving at the truth, to exhibit in a tabular form the statistical facts, bearing on the subject, which may be gleaned from the returns furnished by the colonial authorities, and laid before parliament, since the beginning of 1823. With respect to the actual amount of the slave population at the two periods chosen for comparison, viz. 1818 and 1824, we have followed, as closely as possible, the abstracts obtained from the Colonial Registry Office in London. As the registrations, however, from which these abstracts have been formed, took place in the different colonies very irregularly, it has not always been easy to make the table perfectly to conform in all its parts to the above period. In the case, however, of any colony where the registration, instead of having taken place in 1818, took place in 1817 or 1819, our plan has been to make the year of comparison in the former case 1823, and in the latter 1825, so as to have in every instance an interval of six years.

It is obvious, however, that a simple comparison of the amount of the population, at these two periods, will do little towards ascertaining the actual increase or decrease of the whole slave population, or its comparative increase or decrease in each of the colonies, without a correct return of the number of the slaves manumitted, as well as of those who have been transferred from one colony to another, during the above term. The utmost pains have accordingly been taken to fix these data, although, as will be seen in the course of our inquiry, not always with perfect success. We shall take care to notify, as we proceed, the reasons we may have for suspecting inaccuracy in the returns.

These data, assuming them to be correct, will of course give us the *real* increase or decrease of the slave population, not only in the aggregate,

throughout the whole of our West India Colonies, but in each colony separately, during the six years in question; and thence may be deduced, by a simple process, the rate of the annual increase or decrease in each colony. This we have calculated decimally, as being the most correct and intelligible mode of exhibiting it.

To make the table as complete as possible, we have added the average amount of sugar imported into Great Britain and Ireland for five years, being the years 1822 to 1826. Our reason for limiting it to these five years, and taking them as the basis of our calculation, is, that it is only for these particular years that we have been able to obtain the importations into Ireland, as well as into Great Britain. If we could have obtained the imports of sugar into Ireland for the years which precede the above period, we should have preferred an average of the six years from 1819 to 1824 inclusive, which would have exactly corresponded in point of time with the population returns, to that of the five years from 1822 to 1826, inclusive. At the same time, we are far from apprehending that by the substitution of the one for the other the result would be materially varied.—The last column exhibits, (also in the decimal form) the number of cwts. and parts of cwts. of sugar imported, into the united kingdom, from each colony, for each slave of its population.

We are well aware that no very minute or rigorous inferences can be drawn from this kind of comparison, necessarily attended as it is with some degree of uncertainty, and liable to be affected by a variety of causes, wholly independent of the particular species of cultivation in which the slaves may be engaged. It will, nevertheless, be worth while to note the general results from such a comparison; and they seem to us to lead irresistibly to the conclusion of the comparatively deathful nature of sugar cultivation, more especially in fertile soils.

The table is as follows:—



*View of the INCREASE or DECREASE of the Slave Population of the West India Colonies, between 1818 and 1824.*

Name of Colony.	Slave population in 1818.	Slave population in 1824.	Apparent increase in 6 years.	Apparent decrease in 6 years.	Manu- missions in six years, 1819-24.	Imports in 6 years.	Exports in 6 years.	Real in- crease in 6 years.	Real de- crease in 6 years.	Rate of increase per an- num, ex- pressed in deci- mals.	Rate of decrease per an- num, ex- pressed in deci- mals.	Average an- nual import of Sugar into Great Britain and Ireland, for the 5 years, 1820 to 1824.	Proportion of Sugar for each slave in cwt. and decimal parts of a cwt.
ANTIGUA . . . .	32,269	30,314	—	1955	971	66	68	—	982	—	0.52	187,027	6.03
BAHAMAS . . . .	11,155	9,186	—	1969	281	96	3096	1312	—	2.18	—	none.	—
BARBADOES . . . .	77,493	78,816	1323	—	617	133	308	2115	—	0.45	—	285,077	3.63
BERMICE . . . .	23,768	21,614	—	2154	53	444	1979	—	566	—	0.41	56,137	2.45
BERMUDA . . . .	5,176	5,176	—	—	—	—	—	—	—	—	—	none.	—
DEMERARA . . . .	77,867	74,977	—	2890	206	6087	197	—	8574	—	1.90	597,243	8.00
DOMINICA . . . .	17,959	15,714	—	2245	311	—	1949	15	—	0.02	—	41,337	2.50
GRENADA . . . .	28,059	24,972	—	3087	523	225	620	—	2169	—	1.37	222,601	8.70
HONDURAS . . . .	2,700	2,450	—	250	169	22	4	—	99	—	0.68	none.	—
JAMAICA . . . .	346,150	338,253	—	9897	2559	1286	606	—	8018	—	0.40	1,404,183	4.13
MONTSEERAT . . . .	6,610	6,278	—	332	70	4	69	—	197	—	0.51	26,464	4.13
NEVIS . . . .	9,602	9,140	—	462	60	—	64	—	338	—	0.60	48,010	5.10
St. Kitt's . . . .	20,137	18,639	—	1498	338	66	170	—	1056	—	0.90	94,988	5.00
St. Lucia . . . .	15,662	13,717	—	1945	645	—	—	—	1345	—	1.54	82,673	5.90
St. Vincent's . . . .	25,218	23,830	—	1388	344	1566	840	—	1770	—	1.20	254,497	10.40
TOROGO . . . .	15,890	13,683	—	2207	—	—	—	—	2207	—	2.45	114,111	8.15
TORTOLA . . . .	6,899	5,448	—	1451	90	6	1128	—	230	—	0.64	19,912	3.35
TRINIDAD . . . .	24,037	23,110	—	927	721	3662	—	—	3668	—	2.75	270,173	11.80
	746,651	713,317	1323	34,657	7,967	13,663	11,098	3442	31,419				
									3,442				
									27,977				

From this statement it appears that the whole decrease of the slave population in our West India colonies, has amounted in six years to about 28,000, being  $3\frac{1}{2}$  per cent., or  $\frac{1}{2}$  per cent. per annum. When we compare this with the growth of the slave population in the United States of America, where the increase proceeds at the rate of nearly  $2\frac{1}{2}$  per cent. per annum, it involves a destruction of life equal to 3 per cent. per annum. At the American rate of increase, the slave population of the British West Indies, which, in 1818, was 746,651, ought, in 1824, to have been 858,643. Its actual amount in that year was only 713,317, leaving a deficit of 145,331, as compared with that rate of increase, which, with all the common disadvantages of a state of bondage, marks the superiority of the United States in the physical treatment of their slaves, and especially in respect to the larger quantity of their food, and the smaller portion of labour exacted from them; for on these must the rate of increase or decrease mainly depend. Now there must be something peculiarly deleterious in the British colonial system which can produce such fearful results—results which form of themselves a complete answer to every attempt, however confidently made, and by whatever *show* of evidence supported, which goes to exculpate that system from the charge of cruelty, or to represent its administration as humane and lenient.

#### DISCOVERIES IN AFRICA.

AN excursion of one of our people into the interior, to the distance of 140 miles, has led to a discovery of the populousness, and comparative civilization of this district of Africa, never, till within a few months, even conjectured by myself.—The same individual is now absent on a second journey. The particulars of both, I hope to be able to present to the Board by the next conveyance. In the mean time, it may not be without interest to observe, that we are situated within fifty leagues of a country, in which a highly improved agriculture prevails—where the horse is a common domestic animal—where extensive tracts of land are cleared and enclosed—where

every article absolutely necessary to comfortable life, is produced by the soil, or manufactured by the skill and industry of the inhabitants—where the Arabic is used as a written language, in the ordinary commerce of life—where regular and abundant markets and fairs are kept—and, where a degree of intelligence, and practical refinement distinguish the inhabitants, little compatible with the personal qualities attached, in the current notions of the age, to the people of Guinea.

The trade of the Colony with the tribes of inland Africa, having ever been regarded as an object of very subordinate interest, as it relates to its substantial prosperity, is but little indebted to the fostering care of its government. The maritime tribes have, hitherto, engrossed the direct trade of the interior; and adopting the old Dutch commercial policy, to *possess themselves of all the streams, by concealing the remote sources of their gains*, have not only precluded us from the intercourse of the interior, but nearly denied us all knowledge of it. It was not till the last season, that it was known, certainly, at Montserado, that the inland tribes desired to open a direct communication with us. We have since received such information from the Gurrahs and Condoes, two of the nearest considerable nations, towards the north east, as place their anxiety to avail themselves of a direct correspondence with the Colony, beyond the reach of doubt. A large proportion of the valuable products of the country, which enter into the exports from this colony, is from these countries: and, by opening for them a free passage down to our settlements, there is reason to believe the amount hitherto received, may be doubled. This object has accordingly been attempted, and such progress made in the business, by means of an amicable negotiation with the coast tribes, as promises soon to result in the most entire success. It may be necessary to the acquisition of this valuable privilege, to expend some money.—But the object is so obviously and directly favourable to the trading interest of the settlers, that there is no difficulty apprehended in raising among them, by voluntary

contributions, the sum that may be required. No public fund at my disposal can, in my opinion, be properly expended in the purchase of more commercial advantage for our settlements. The path about to be opened, runs from the Cape, 16 miles towards the N. West along the beach—and thence, strikes northwardly into the interior countries: and twelve miles from the sea, enters a populous country, exhibiting, as far as our information reaches, contiguous farms, easy roads, and villages and towns at intervals of one, two, and three miles.

*For Liberia.*—The brig Doris sailed from Baltimore, for the American Colony, in Africa, on the 10th inst. with eighty-two emigrants, and took on board twenty-three others at Norfolk—making, in all, *one hundred and five*; and the brig Nautilus will sail, in a few days, from Norfolk, with, perhaps, *a hundred more*. About eighty of these are from North Carolina.—*June 29.*

#### LATEST FROM LIBERIA.

*Caldwell, May 20th, 1827.*

GENTLEMEN: I am sorry to state that our fine schooner Catharine, two days previous to the sailing of the "Doris," unfortunately went on shore, in attempting the passage of the bar, and was seriously injured before she could be brought off. But the injury done the schooner was but a small part of the misfortune. The accident obliged us to lay her up for repairs—which has to this hour deprived us of our only means of bringing up produce from the factories.

My personal affliction, brought on by four hours' exposure to a heavy rain, in directing means for saving the schooner, has been of the severest kind. I was, in a few days after, seized with a most painful rheumatic fever, which came near depriving me of my life, and certainly was attended with more acute suffering, during the three weeks it continued, than I remember ever before to have endured in as many months. But through the mercy of God, whose goodness I desire most devoutly to acknowledge, I am now entirely recovered. To assist my convalescence, I was carried on board of

the schooner Eclipse, of Philadelphia, then lying in our roads, on the 12th of July. The owner on the next day, determining to visit Sierra Leone and the rivers Pongas and Noonez, I sent on shore for my baggage, and remained on board. We sailed on the 14th July—arrived at Sierra Leone on the 16th, and after visiting the "*Isles de Loss*," "*Pongas*," and "*Noonez*," returned to Montserado on the 8th of August—myself in good health.

Judging that my Journal may not be without use to the Board, I have transcribed, and shall forward it by the Eclipse. On this tour, having the most ample leisure, and opportunity to collect information, I made it my object to do so; and hope that the Board will not think the time spent in vain.

During my stay at Sierra Leone, I began a correspondence with the government of that colony, in which my object was to pave the way to the renewal of the commercial intercourse between the two colonies, which has been interrupted by the late restrictive system of the English government, by which the commerce and trade of the United States are excluded from the British colonies. Sierra Leone is reduced by these restrictions, not only to inconvenience, but to a state of suffering—having received from the United States, in American vessels, either directly, or through St. Mary's on the Gambia, her most important articles of trade, building materials and provisions. This source of supplies is now closed; and flour sells at \$25 by auction; tobacco and other provisions proportionably high; and the inhabitants generally discover every proof of incurable dissatisfaction. These remarks will explain some parts of my last letter, in the correspondence above alluded to; and indeed explain one of my principal reasons for engaging in the correspondence at all.

But to return to our own colony, and to the misfortune of the schooner; I was satisfied that the accident was owing to no gross negligence on the part of the master or crew navigating her. During her last trip, the river had forced an outlet one mile above that at which the vessel ran out only five days before, and consequently this outlet had ceased to be practicable.

But of this event, the crew was necessarily ignorant—nor, after she came in sight, could they be apprized of it till too late. She is now undergoing repairs—and will no doubt be ready for sea before the end of the rains.

The returns of our health officers a week ago, exhibit a less favourable state of the health of the colonists, than is to be desired. It is as follows:—

"Affected with ulcerous sores,	21
_____ bad eruptions of	
the country, . . . . .	8
_____ Agues and Fe-	
vers, . . . . .	2
_____ Debility, . . . .	2
	—
	33"

in a population of about 1000. For the first and second species of disorders, nothing like a specific, or indeed an effectual mode of treatment has been discovered—or if so, is it sufficiently known to be uniformly adopted and pursued. But such a remedy is a desideratum, of the very first importance to the colony—and I should believe quite within the reach of the medical skill of the times. During the wet half of the year, the proportion of settlers above stated gives the number usually labouring under that one disorder. In the dry season, (and not before,) most of them nearly or quite recover. The only course of treatment we follow, is to keep the patient from too much action, and the sore well cleansed, and secured from the air—and regulate the diet. But, without a hospital, no one of these ends can be accomplished—and it is not seldom that an ulcer proceeds, from this inattention on the part of the patient, from one degree of inveteracy to another, for a series of years. To render the calamity, to the colony, the greater, three out of five of the afflicted are labouring persons—and most of them the heads of families, and when laid aside, leave their children to be supported at the public expense. The cutaneous disorder (called from the African name) Cra-Cra, which prevails at all seasons, and often numbers a greater proportion than at present on the sick list, is infectious; but with cleanliness and the free use of sulphur, is often got over in a short time. In

connection with our disordered people, and their dependant families, we have lately directed our particular attention to another class of persons, who often require occasional aid, and are always liable to become a public charge. These are the *infirm and aged—poor widows—and single women; many of whom are encumbered with a number of children—and a few others, of all ages and both sexes, too destitute of spirit and industry to set themselves profitably at work.*

To provide effectually for all these different classes of persons, an institution is founded, and just gone into operation, which we call the "Infirmity of Invalids for Liberia." The spacious public buildings at Stockton Town, are now devoted to its use; and it promises more and greater advantages to the Colony, than any other single institution which it claims.

The ends to be accomplished by this Institution, in case it reaches the anticipated measures of success, of which I certainly indulge high hopes, are :-

1. To secure the comfort of the diseased and sick :
2. To furnish them with constant, and regular medical attendance; which, in a diseased state, they cannot have.
3. To oblige them to such diet, exercise, or rest, and to the use of such remedies, as shall effect, in most cases, a speedy cure.
4. To put even the invalids of the Colony in a situation to support, either in part, or whole, themselves and their families—without burdening the public funds for either.
5. To provide an asylum, with the same advantages, for all the poor, and otherwise helpless of the Colony.
6. Another good effect expected, is to train to regular habits of employing their time, and teach industry and skill, particularly in the little useful arts of domestic life, to many of the ignorant, slovenly, and slothful, of both sexes : and
7. We hope it may prove to the Colony at large, a Seminary of Manufactures.

In regard to persons undergoing their first seasoning in the Colony, it is no part of the plan of the Infirmary to admit them generally at first. But many

particular cases, particularly of single, friendless and aged persons—and of those whose disease takes a lingering form, and many others, will always be exceptions—and must be taken into the Institution—both for their own comfort and advantage, and to save the expense of supporting them out of it. The salutary effects of the Infirmary are already seen. Several, (not less than sixteen,) who allowed themselves to bring their weekly complaints of indispositions and inability, to the store-keeper, and expect assistance, have found themselves abundantly able to provide for themselves—and lest they shall be sent to the Infirmary, have been as anxious to keep off from the sick and poor list, as they were before willing to be enrolled there.

Most of the “raw materials” for working up at the Infirmary, are supplied by the liberated Africans. And we find the employment which this raw demand for such things furnishes them, most exactly adapted to their state of partial civilization—and provides not a few with the means of living more comfortably and respectably than before.

Dr. Peaco has not yet arrived—of whose sailing from Norfolk, to touch at Savannah on his way out, we had intelligence about two months ago. His detention can hardly be accounted for by the supposition of contrary winds, or calms. We daily expect his arrival with 150 liberated Africans, for whom we have prospectively provided employment and places from the moment of their landing. As nothing is easier than, from the first, to make them support themselves, I am resolved, so far as my agency goes, that they shall do it. It will be all the better for them; and let the funds thus saved, be spent to more useful purposes.

August 27th, 1827.

I had finished the last period, when a messenger from Montserado, announced the arrival of the ship Norfolk, together with the distressing intelligence of Dr. Peaco's death. Having gone down the river, I found Dr. Todsen ashore, and learnt that the Africans on board were in good health. The Norfolk has had a passage of forty-one days from Savannah,—brings

a very ample cargo of lumber, tobacco, and other stores for the agency—but, along with them, I receive a renewal of my appointment from the secretary of the navy, and express instructions not to blend the affairs of the United States agency, so far with those of the Colonization Society, as to use any of the provisions and stores of the first, for the maintenance of emigrants sent out by, or attached to the last.

Of the 142 Africans delivered from this ship into my hands, it may be interesting to the Board, as a proof of the extensive business and resources of their colony, to observe, that not more than twenty remain, even at this early date, (only seven days arrived,) a charge to the United States. Two-thirds of the whole number have situations in the families of the older settlers, for terms of from one to three years. The remainder are at service on wages, to be paid them at the year's end—when it is my intention to treat them in all respects as settlers, the natives of the United States, (*unless the Board shall, in the interim, see fit to order differently,*) and assign them their lands, as to other emigrants.

I have, however, engaged to all who engage these people, whether as apprentices, or on service for wages, “materials for one suit of clothes, and one month's provisions, or its equivalent in tobacco, for as many as they take.” And this trifling quantity forms the last object of expense to the United States, which, it is expected, will ever arise on their account. And for this early relief, they are wholly indebted to appropriations made, however cautiously and sparingly, towards the colony; the members of which, to repay the benefits received from the United States, thus take the burdens, which would, without them, still continue to press heavily; and fulfil the benevolent intention of the government towards the re-captured Africans, in their most extensive sense.

The “Infirmary of Invalids” has gone into operation fully—and at present enjoys the kind and assiduous attention of Dr. Todsen, the United States' Agent. It has, to-day, eighteen patients, (including five indigent women and children,) all afflicted with ulcers, or eruptions.

It is gratifying to report the progress of our schools. They are all, as formerly stated, under Mr. George McGill; comprehended under one system: and afford instruction to every child, native and American, belonging to the colony, all of whom are obliged to be sent. To defray the expense of carrying on the plan of instruction, besides the surplus fund remaining in the colonial treasury, after defraying the expenditures belonging to what are called in America, the "civil list," and "judiciary;" a general subscription of the colonists raises 1400 dollars per annum; including a subscription of the agent, on the part of the colony, for 300 dollars. Of this sum of 300 dollars, I shall pay at least one half in country produce, &c.; and should be glad of the consent of the Board, to draw, if necessary, (I shall not otherwise,) on their treasury, for the other half. This system supports four very numerous schools, and pays our librarian, whose annual allowance is fifty dollars.

Owing to the pressure of my innumerable duties at the present time, and the danger of too severe application so soon after a severe illness, I am obliged to defer for a few days, to be forwarded by the Norfolk, much detailed information, in part collected, but not quite prepared, to be sent by the Eclipse.

In regard to the Sesters—Our establishment there is on a much better footing than ever: and the indefinite extent of fertile territory connected with it, secured to, and in the quiet occupancy of the colony, by a tenure which we have no reason to expect will ever be disturbed, or controverted. Mr. Warner, with four colonists, assisted by native labourers, is carrying on successfully the public factory, and the public and private improvements, of that station. The temporary suspension of the factory last February, March, and April, led to a discovery of the extent of our influence with the people, and the strength of our hold upon the country, which, possibly, no other event could so fully have proved.

Our establishment and affairs on the St. John's, are in the same prosperous and even train, as at the date of my last advices. The factory is filled with

valuable country produce—which we have not at present the means of bringing away. The Chiefs have lately given us new proofs of the sincerity of their engagements with the Colony—and of their determination to abandon for ever the slave trade.

A French Slaver appeared off the river in June, with a small schooner containing a valuable cargo. The Chiefs assured him that the country belonged to the Americans—that they were themselves under the protection of the Colony; and that, if he landed his cargo, he would forfeit, and lose it. But one of their number, possessing more artifice than honesty, encouraged the Frenchman to bring his small vessel over the bar, and trust himself with his cargo. The Frenchman did both; but in entering the river, lost his rudder. Information was now sent to the Cape, with a request that a force might be despatched from the Colony, to seize vessel and cargo, for an invasion of our territory for unlawful purposes. I was absent—but the Vice Agent declined to comply with the request—but warned the Chiefs of their solemn engagement to desist entirely from the slave trade. The vessel, in the extremity of distress, arrived at the Cape. No relief was afforded her; and she went ashore, and was lost. Her cargo is of course detained by the Chiefs, who accuse themselves of no breach of faith, under the circumstances of the case, in seizing it for their own use.

Junk has undergone no change. We have only to regret our want of larger vessels to justify the expectation which we have raised in the minds of the country Chiefs, by keeping up a brisker intercourse with the stations which they have ceded to us.

The Colonists are this evening convened to prepare an address to their American brethren, agreeably to the wish intimated to them on the subject, in the last letters received from the Board. It may not be embellished with the exterior ornament of polished language. I fear it will suffer on account of the faults of composition; but one quality I know it will carry along for its recommendation—truth, and the honest sentiments of the people. It is the wish of a majority of our sensible settlers, that emigration may not

be overdone—of some, that it may be suspended for a couple of years—that from a concentration of the industry of the colony for that period, its institutions may acquire stability and its foundations, solidity and strength. And there is a general dread felt of the consequences of too favourable an opinion of the state of the colony getting ground in America. Certain I am, that a majority of their number will never concur in an address suspected of such a tendency. Whatever it proves to be, may its effects be useful.

I have made a requisition on the Navy Department for 50,000 cypress, juniper, or yellow pine shingles, to be sent out by your next charter. Should this requisition be declined, I beg the Board to send at least one half that quantity. Our African timber, though firm, is not durable, and roofs covered with African shingles, which are expensive, do not often outlast the third year—not unfrequently become useless in twelve or twenty months. Covered with the shingles above named, they will remain good from eight to twelve years.

Being now apprised of the intention of the Board, to send out another company of emigrants early in Autumn, we shall provide accordingly.

J. ASHMUN.  
*African Repository.*

#### ABOLITION OF SLAVERY.

THE extinction of African slavery in the state of New York, having marked the year 1827 as an era in the history of that flourishing commonwealth, it appears nothing more than justice to the statesman by whose agency, at least in part, that event was consummated, to give the following communication a place in this journal, before the expiration of the present year.

"Gentlemen—In my last public communication to the legislature, I had the honour to advert to the present happy condition of our country, and to intimate, that the existing state of society, and the general disposition of mankind, seemed propitious to the

promotion of the interests of literature, religion, freedom, and humanity.

"I will now take the liberty of submitting to the legislature, whether the dictates of humanity, the reputation of the state, and a just sense of gratitude to the Almighty, for the many favours he has conferred on us as a nation, do not demand that the reproach of slavery be expunged from our statute book.

"No people can be bound to acknowledge and adore the invisible hand which conducts the affairs of men, more than the people of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency.

"The same Divine munificence which called forth this effusion of gratitude from the father of his country, twenty-seven years ago, has been equally, if not more conspicuous, in every subsequent stage of our advancement in prosperity and renown. What more acceptable can a grateful and enlightened people make to the heavenly donor of these so great benefits, than by emancipating from bitter servitude, that portion of his creatures which still continue to be held in unjust and cruel bondage by civilized and independent free men?

"I do, therefore, respectfully, but earnestly, recommend to the legislature, to establish some future day, not more remote than the 4th day of July, 1827, on which slavery shall cease in this state. Before the arrival of that period, most coloured persons born previous to the 4th of July, 1799, (and others are now free by the existing laws,) will have become of very little value to their owners, indeed many of them will, by that time, have become an expensive burthen.

"To fix a day thus remote for general emancipation, will consequently impair, in a very small degree, any private right, and will, at the same time, be consistent with the humanity and justice of a free and prosperous people.

"DANIEL D. TOMPKINS."  
*Albany, 13th Jan. 1817.*

#### SLAVERY IN SCOTLAND.

MR. DUNDAS, in 1792, did not hesi-

tate to ridicule the vain terrors of the parties whose battle he was fighting, and, by their own selection, as their commander-in-chief, though emancipation itself was the object. In illustration of the apprehensions which many entertained of the consequences of changing their slaves into free labourers, he stated, that some years before, in certain districts of Scotland, the persons who laboured in the salt-works and coal-mines were actually slaves; and that a proposal being made to emancipate them, instantly the owners of the works came forward, declaring that if their vassals were to be raised to the condition of free labourers, they themselves would be utterly ruined,—for that such was the peculiarity, such the unpleasant nature, of those species of labours, they could not depend on hired service, as in other instances. “But at length,” added Mr. Dundas, “the good sense of the age obtained the victory. The salters and colliers were changed into free labourers, and all the terrors of the owners ended in smoke.”—*Wilberforce's Appeal*.

#### KIDNAPPING.

At the superior court held for Cabarrus county last week, judge Norwood presiding, Joseph Wear, (who has, for a year or two past, rendered himself somewhat notorious, by his lawless depredations on the property, &c. of the citizens of Lincoln county,) was tried on an indictment for kidnapping, in stealing sundry negroes in Lincoln county, and running them off to South Carolina for sale, and was found guilty by the jury. Jones, an accomplice of Wear's, turned state's witness, and was admitted to give evidence against the latter. Wear was sentenced by judge Norwood, to be hanged on Friday, the 30th of this month. His counsel prayed an appeal to the supreme court; but we have not learned whether he has been able to give security for the appeal.—*West. Car.*

*Arkansas.*—The general assembly of the territory of Arkansas met at Little Rock, on the 1st ult. Daniel T. Witter was elected president of the legislative council, and Ambrose H. Sevier, speaker of the house of representa-

tives. On the 2d, governor Izard sent his message. The message commences with an expression of the belief of the governor, that the population of the territory “had reached that point, which, by the laws of the United States, territories are entitled to be admitted into the union.” The language of the message on this point is as follows:

“That we have reached that point, I entertain no doubt; but, notwithstanding the zeal of the officers whose duty it is to take the census, the statements are so sparse, and the means of access of the country so extended, that it is scarcely possible to note with precision, the increase of our inhabitants. In 1830, however, I anticipate with security that the star of Arkansas will assume its rank in the constellation which adorns the banner of our country.”

WILL the inhabitants of the non slave-holding states agree to admit Arkansas as a slave-holding state, and thus accede to that part of the union, a decided preponderance in the senate? Or, are we to have a new Missouri question, alias, an Arkansas question, to agitate the counsels of the nation? If the compromise, which is understood to have been made, when Missouri was admitted, has secured to the inhabitants of Arkansas the privilege of entailing on themselves and their posterity, the greatest curse of nations, it becomes an important question, how far this compromise, admitting it to have been made by parties fully competent to its formation, has been modified, or may be hereafter affected, by the subsequent addition of Florida to our territorial possessions. As the question is not yet before the nation, it is probably needless to enter at present upon its discussion; we may, however, be permitted to look forward, and prepare to act with proper judgment, when the time of decision shall arrive.



## AN INDUSTRIOUS HOTTENTOT.

HAVING heard of an industrious Hottentot, who possessed a small location in this vicinity, I prevailed on Mr. Bergh to accompany me thither. We reached it after an arduous ascent into the cedar mountains, in a nook of which it is situated. The proprietor, (Abraham Zwarts,) showed us his whole premises with pride and pleasure. His farm consists of about fifty-four acres, three of which are sown with wheat. Besides this, he raises annually about 100 lbs. of tobacco, and has upwards of 200 fruit trees in bearing, the fruit of which he dries and sells. His live stock amounted to sixteen head of cattle, twenty goats, and forty sheep. His family consisted of a little colony of more than twenty-four children, and grand-children, all of whom, so far as their years admit, assist in the cultivation of the little farm, and are supported and clothed by its produce.

This is, perhaps, the only instance of a Hottentot having obtained a grant of land in the colony; and the circumstances are curious, and worthy of being commemorated, to evince what might be anticipated from Hottentot industry, if that long oppressed race received due encouragement to exert themselves. Zwarts had been permitted by the deputy landdrost Bergh, to occupy this wild place, which no boor there considered worth asking for, and had made considerable improvement upon it, when, upon the arrival of the settlers, he was warned to vacate it, in order that it might be added to their location; and he would have been very unceremoniously dispossessed, except for the laudable humanity of Mr. Parker and captain Synnot, who represented the hardship of the case to the colonial government, and obtained for the poor man a full grant of the place, on perpetual quit rent. The respectable appearance of Zwarts and his family, and the evidences of their industry, every where apparent, prove how well the favour of government has been, in this instance, bestowed, and leads us to regret the more, that it should be a single and solitary instance of such favour shown to the aborigines of the country. How can industry or improvement be expected from a class of people long degraded

into bondsmen, and systematically prevented from emerging from that condition?—*Thompson's Travels in South-east Africa*, p. 309.

*From the Hartford Mirror.*

## ADDRESS TO THE FIRST SLAVE SHIP.

First of that train which eurr'd the wave,  
And from the rifled cabin bore,  
Inheritor of woe—the slave  
To bless his palm-tree's shade no more,

Dire engine!—o'er the troubled main  
Borne on its unreluctant state,—  
Know'st thou within thy dark domain  
The secrets of thy prison'd freight?

Hear'st thou their moans whom hope hath fled?  
Wild cries, in agonizing starts?—  
Know'st thou thy humid sails are spread  
With ceaseless sighs from broken hearts?—

The fetter'd chieftain's burning tear,—  
The parted lover's mute despair,—  
The childless mother's pang severe,—  
The orphan's misery, are there.

Ah!—could'st thou from the scroll of fate  
The annal read of future years,  
Stripes,—tortures,—unrelenting hate,  
And death gasps drown'd in slavery's tears.

Down,—down,—beneath the cleaving main  
Thou fain would'st plunge where monsters lie,  
Rather than ope the gates of pain  
For time and for Eternity.—

Oh Africa!—what has been thy crime,  
That thus like Eden's fratricide,  
A mark is set upon thy clime,  
And every brother shuns thy side?—

Yet are thy wrongs, thou long distress!  
Thy hardships, by the world unweigh'd,  
Safe in that Unforgetful Breast  
Where all the sins of earth are hid.—

Poor outcast slave!—Our guilty land  
Should tremble while she drinks thy tears,  
Or sees in vengeful silence stand  
The beacon of thy shorten'd years;—

Should shrink to hear her sons proclaim  
The sacred truth, that heaven is just—  
Shrink even at her Judge's name—  
“Jehovah—Saviour of the opprest.”

The Sun upon thy forehead frown'd,  
But Man, more cruel far than he,  
Dark fetters on thy spirit bound:—  
Look to the mansions of the free!

Look to that realm where chains are banish'd,—  
Where the pale tyrant drops his rod,  
And where the patient sufferers find  
A friend—a father in their God.

H.

Hartford, November, 1835.

THE

# African Observer.

FIRST MONTH, 1828.

NEGRO SLAVERY.

(Continued from page 202.)

I COME now to a second branch of the inquiry: What is the tenure by which the slaves are held? Or in other words, upon what principle, in the law of nature or nations, are the negroes and their descendants retained in slavery?

There is scarcely any thing, in the whole slave-holding vocabulary, more common than that the slaves are *property*, that the masters cannot be divested of their property, unless with their own consent, without the most flagrant injustice. It is too frequently admitted, that whatever has the sanction of law must necessarily be right. Men who find themselves in possession of legal advantages over their fellow men, are not generally disposed to scrutinize very closely the foundation of their own claims. It is very naturally, as well as sagely concluded, that the advantages which we may derive from the vices and crimes of those who have lived before us, may be safely enjoyed without partaking the guilt. The heir whose estate was ac-

cumulated by the frauds and oppressions of his parent, is commonly satisfied to enjoy his fortune without inquiry, and leave the parent to answer for his own offences. We find ourselves the owners of slaves—the crime of reducing them or their parents to slavery was not ours. We are not answerable for the sins of our ancestors. The institution of slavery has descended to us, with the other institutions of our country. The slaves, and the land they cultivate, are held by hereditary right. Why should we unsettle the one any more than the other? A large, probably much the greater, part of the land in Europe is held by the right of conquest. Italy, Spain, and France, were overrun by the Goths and Vandals from the northern hive. South Britain was seized by her Saxon invaders, and these in turn were overrun by the Normans. The ancient inhabitants of the United States were generally expelled by the sword. It is even doubtful whether those whom the Europeans dispossessed, had not themselves gained

possession by the expulsion or extinction of a former race. We have purchased the lands of the aboriginal inhabitants, with the sword in one hand, and the paltry price in the other. But these things were mostly done by those over whom the present generation had no control. We find ourselves in quiet possession of the fruit of their labours, and their crimes; and are not likely to disturb the enjoyment by anxiously inquiring into injuries which cannot now be redressed. The nations of Africa have become slaves, they have been transmitted as property from sire to son; they have been transferred as property from hand to hand; they have been mortgaged as security for debts; in a word, they have been treated as property rather than as men, until they are so completely associated with our ideas of property, that it is not easy to disentangle the connection. The maxims and principles which familiarly apply to property, are habitually applied to them as such.

It is a sentiment too plain to be controverted, and too common to possess the charm of novelty, that maxims, which are strictly correct when applied to their legitimate objects, are often grossly fallacious when extended beyond their proper limits. Before we confidently apply to the slave the usually admitted principles of property, it is important to inquire how far he can justly be brought to assume that character; how far the laws and usages of society have vested or can vest in the master, a *right* to the person and services of the slave.

I do not design to engage in the discussion of a question, which has been frequently connected with that of negro slavery, whether the intellect of the negro is equal to that of the Eu-

ropean. This question might lead to many interesting and amusing inquiries, but would probably be difficult to settle; and even supposing a decision attainable, the question of right would recur with its original force. Knowledge is power, but power is not the acknowledged foundation of right. The argument which goes to justify the maintenance of the slave-holding system, by a supposed or even a real inferiority of intellect on the part of the negroes, unquestionably *proves*, or at least *admits*, too much. The principle is as good between individuals of the same nation, or colour, as between those whose pedigree cannot be traced to a common origin. If the nations of Europe may justly hold the people of Africa in servitude, because the minds of the latter are less capacious than those of the former, supposing that to be the fact, then, upon the same principle, the man of common understanding may lawfully enslave the dolt, and the man of genius exact the unrequited services of the ordinary man. That those who think must govern those who toil, may be admitted as a maxim, founded on the nature of society, without establishing a right which can be justly supported by physical force. Declining the discussion of such questions, I shall take it for granted that the negroes are men, are equally with ourselves capable of happiness or misery; and accountable for the use or abuse of the faculties with which they are endowed.

The slaves held by the nations of western Europe, and their descendants on this side of the Atlantic, are of two descriptions; those who were imported from Africa as slaves, and the descendants of slaves thus imported. On each class a few observations will be offered.

And first of the African natives who have been imported as slaves into the western world.

These slaves are of several descriptions. As prisoners of war; persons condemned by the African tribunals for real or imputed crimes; insolvent debtors sold to satisfy the claims of creditors; persons kidnapped, and a few who were slaves in Africa, and sold by their masters to relieve themselves and their families from the pressure of famine. To advert for a moment to the first class, the prisoners of war.

The natives of Africa, while residing in their own country, whether they are settled in cities, or wandering in the deserts, are, in relation to us, independent nations. The extravagant donations of Eugene IV. and Alexander VI. would not at this time be considered as conferring a right even to the lands, much less to the persons, whom their *christian* adventurers might discover. Nothing that we can discover in the laws of nature, or of nations, can give to us or the nations of Europe, any other right to enslave the natives of Africa, than *they* possess to reduce to servitude the lordlings of the north. The scattered tribes, that people the African continent, are generally independent communities. In relation to each other their rights are equal, whatever may be their relative powers to maintain them. "Nations being composed of men naturally free and independent, and who, before the establishment of civil societies, lived together in the state of nature, nations or sovereign states, are to be considered as so many free persons living together in the state of nature. It is a settled point with writers on natural law, that all men inherit from nature a perfect liberty and independence, of which they can

not be deprived without their own consent. In a state, the individual citizens do not enjoy them fully and absolutely, because they have made a partial surrender of them to the sovereign. But the body of the nation, the state, remains absolutely free and independent with respect to all other men, all other nations, as long as it has not voluntarily submitted to them."\* "Since men are naturally equal, and a perfect equality prevails in their rights and obligations, as equally proceeding from nature, nations composed of men, and considered as so many free men living together in a state of nature, are naturally equal, and inherit from nature the same obligations and rights. Power or weakness does not in this respect produce, any difference. A dwarf is as much a man as a giant, a small republic is no less a sovereign state than the most powerful kingdom. By a necessary consequence of that equality, whatever is lawful for one nation, is equally lawful for any other; and whatever is unjustifiable in the one, is equally so in the other."†

If, therefore, the petty monarchs of Africa may lawfully invade each other's dominions, for the purpose of seizing their people as slaves, so may the nations of Europe. Those nations that encourage this practice, by purchasing the prisoners obtained by these sanguinary contests, give their sanction, as far as principle is concerned, to the piracies of the Algerines, and the other Barbary powers. That a large part of the African wars may be justly attributed to the slave trade, is sufficiently proved. In numberless instances, these wars have been avow-

\* Vattel's Law of Nations, Preliminaries LVI.  
† Ibid I.XIII.

edly waged for no other purpose. The avidity of the African chiefs for the productions of Europe, often stimulates them to those marauding expeditions, by which the trade is supplied. But even those wars, which are not undertaken directly and avowedly to furnish the victims of this odious traffic, may often be fairly attributed to this fruitful source of misery and crime. The injuries to families and nations, which arise from the public wars and private pillage produced by this traffic, cannot fail to create jealousies and antipathies among the neighbouring tribes. The destruction of the villages and fields, by which these marauding expeditions are accompanied, must often subject the wretched survivors, who elude the pursuit of their invaders, to all the miseries of famine, and drive them to invade the property of others. Hence wars of defence and revenge, as well as aggression. Thus war and the slave trade, like the farmer and the manufacturer, feed and support each other.

What then are the rights of war?—It is not necessary, in this case, to inquire whether wars of any description are compatible with the principles and doctrines of the Christian religion; or whether even a sound and rational policy would ever dictate a national resort to physical force. Notwithstanding my own opinion, that these questions would be correctly answered in the negative, I shall assume as correct the usually admitted principles of national law.\*

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\* This assumption is made, not because of any doubts that the principles of peace, as advocated by the society of which I am a member, and by many individuals of other persuasions, are not only completely defensible upon evangelical grounds, but are most con-

“War,” says Vattel, “is that state in which we prosecute our right by force.”† “As nature has given man no right to employ force, unless when it becomes necessary for self-defence, and the preservation of their rights; the inference is manifest, that, since the establishment of political societies, a right, so dangerous in its exercise, no longer remains with private persons, except in those rencounters where society cannot protect or defend them.” “A right of so momentous a nature, the right of judging whether the nation has real grounds of complaints, whether she is authorised to employ force, and justifiable in taking up arms, whether prudence will admit of such a step, and whether the welfare of the state requires it; can only belong to the body of the nation, or the sovereign, its representative.”‡ “The right of making war belongs to nations only as a remedy against injustice; it is the offspring of unhappy necessity. This remedy is so dreadful in its effects, so destructive to mankind, so grievous to the party who has recourse to it, that, unquestionably, the law of nature allows of it only in the last extremity, that is to say, when every other expedient proves ineffectual for the main-

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sistent with political wisdom. The experience of William Penn, in the settlement of Pennsylvania, appears to me a complete justification of their policy. The letters of Whelpley to governor Strong contain a masterly, and, as I conceive, an unanswerable defence of them, on the principles of scripture and reason. But, well knowing that very different opinions on this subject are commonly entertained, I thought it more eligible to deduce my conclusions from premises more generally admitted.

† Law of Nations, book iii. chap. i.

‡ Ibid. chap. iii.

tenance of justice.\* He who is engaged in war derives all his right from the justice of his cause. Whoever therefore takes up arms without a lawful cause, can absolutely have no right whatever; every act of hostility that he commits is an act of injustice. He is chargeable with all the evils, with all the horrors of war; all the effusion of blood, the desolation of families, the rapine, the acts of violence, the ravages, the conflagrations, are his works and his crimes. He is guilty of a crime against the enemy whom he attacks and massacres without cause; he is guilty of a crime against his people, whom he forces into acts of injustice, and exposes to dangers, without reason or necessity; against those of his subjects who are ruined or distressed by the war, who lose their lives, their property, or their health, in consequence of it; finally, he is guilty of a crime against mankind in general, whose peace he disturbs, and to whom he sets a pernicious example.†

Applying these principles to a large part of the African wars, it follows conclusively, that the victors acquire no rights whatever over the vanquished. Indeed, the common sense of mankind revolts at the assertion, that those who assail the peaceful village at the dead of night, set it on fire, and then seize the terrified inhabitants as they are endeavouring to escape from the flames, acquire by this act any right over the victims of their murderous rapacity; or that those who encourage and support these barbarous measures, are any other than partners in the guilt. The claim to a right in the persons of those ill-fated natives who are seized by those lawless invaders, is

evidently worse than unfounded. Consequently, no right can be transferred to the purchaser. Nor does any number of successive purchases alter the nature of the right.\* The cipher multiplied a thousand fold is a cipher still.

It however sometimes happens, that the aggressor is overcome, and the invading troops themselves become prisoners of war. Here the case is materially changed. A just vengeance, it may be said, will visit, upon the aggressor, the fate that was designed for the aggrieved. But we may observe, in the first place, that the design of the invaders being cruel and unjust in the highest degree, it is difficult to perceive the justice or mercy of following the example. It is further observable that, in these cases, the lead-

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\* In our slave states it is fully admitted, that a person being held as a slave, and descended from a line of actual slaves, is still entitled to his freedom in case any link of the slave chain can be proved to be defective. Some hundreds of slaves were liberated in Virginia a few years ago, because they were descended in the female line from an Indian ancestor, who was not legally held as a slave. The case of Mary Butler, decided in the general court of appeals in Maryland about forty years ago, is a striking exemplification of this doctrine. By a law of 1663, a white woman marrying a negro slave became a servant for life, and the issue of such marriage became slaves. Mary Butler was descended from such marriage, and her ancestors for three generations had been held as slaves, yet she was adjudged free, because the white female ancestor was not convicted of having intermarried with a slave, or at least the conviction was not proved. A defect in the original title thus destroying the claim, after it had been admitted for more than a century. Vide Harris and M'Henry's Reports, Vol. 2.

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\* Ibid. chap. iv. † Ibid. chap. xi.

ers are the principal offenders; the common soldiery in the African, as well as in the more civilized armies of Europe, have little to do but to obey the command of their chiefs. If the punishment awarded is to be estimated by the degree of criminality, it is obvious that much the heaviest share ought to fall on those who direct the offence. Hence the European trader, who stimulates the untutored negroes to these deeds of rapine, should, at least, share with them in the consequence.

Waiving however all considerations of inequality of guilt, let us for a moment inquire, what rights over the persons of the vanquished are acquired by the victors, supposing the aggression wholly on the side of the former.

The rights of war resulting from the justice of the cause, those engaged in war are supposed justifiable in the use of such means as the end requires. "The lawfulness of the end does not give us a real right, to any thing further than barely the means necessary for the attainment of that end. Whatever we do beyond that, is reprobated by the law of nature, is faulty, and condemnable at the tribunal of conscience."\* The right to take the life of an enemy, depends upon the necessity of the case; when that necessity ceases, the right no longer exists. Hence, when an enemy ceases to resist, the usages of civilized nations require that his life should be spared. To massacre an enemy who has thrown down his arms, and manifested a determination to submit, is justly reprobated as murder rather than lawful war. A nation may detain in custody the prisoners taken in war, as long as such detention is ne-

cessary for its own safety, or as long as it is required for the purpose of obtaining the just ends of the war, but no longer. Whenever peace is restored between the belligerent nations, the right of detaining the prisoners ceases of course, because the necessity no longer exists. To detain the prisoners after the war has been ended, is, in regard to them, to continue the war. The ancients founded their imaginary right to enslave the prisoners of war, upon the presumption, that their lives might have been justly destroyed; but the foundation being unsound, the superstructure falls of course. We therefore arrive at a conclusion, to which probably few will object in theory, whatever course may be adopted in practice, that no right can be derived from the African wars to enslave the prisoners, and that consequently none can be transferred to the European traders by whom they are purchased.

The second description of slaves, consists of persons condemned by the African tribunals for real or imputed crimes. As those who are derived from this source are well known to be generally the victims of avarice, not of justice; that whole families are often sold for the imputed delinquency of one of its members; and that whenever the tribunal is within the atmosphere of the trade, slavery is the usual sentence passed upon criminals, whatever may be the character of the offence, a few observations on this branch of the subject must suffice. Those Europeans who submit to the degraded office of executioners to the petty despots of Africa, even supposing they have no agency in the decisions, are certainly assuming a station below the character of civilized men. Theright however which they derive from the purchase

\* Vattel, book iii. chap. viii.

of the unhappy convicts is the question to be examined.

The legitimate object of penal laws is the reformation of criminals and the prevention of crimes. The right of society to punish the violations of law, arises from the necessity of the case; the right of self-preservation. The infliction of punishment, as a retaliation of injuries, is the assumption of a prerogative which belongs not to man.\* It is not the magnitude of crimes, simply considered, but their effect on the peace of society, that furnishes the proper measure of their punishment. Whenever punishments exceed the measure which the security of society demands, they become acts of tyranny. Banishment from the land of our birth, without any attendant and continued punishment, is one of the severest inflictions, short of absolute death, which can be meted to man.† It is only in cases of a highly dangerous character that nations can justly resort to it. Those members, who cannot be retained without manifest injury or danger to the community, may be expelled.‡ When the necessity of expulsion arises from

the crimes of the sufferer, it seems just that the necessary expense should be defrayed by himself; but there the claims of society terminate. It is obvious, that even if none were condemned for imaginary crimes, we should find it extremely difficult to establish a just claim to the service, during life, of even this class of African slaves.

The right to the other descriptions of imported slaves is, if possible, still

ture offences of the same kind. This is effected three ways: either by the amendment of the offender himself; for which purpose all corporal punishments, fines, and temporary exile or imprisonment, are inflicted: or by deterring others by the dread of his example from offending in the like way, "*ut poena* (as Tully expresses it) *ad paucos, metus ad omnes perveniat*;" which gives rise to all ignominious punishments, and to such executions of justice as are open and public: or lastly, by depriving the party injuring of the power to do future mischief; which is effected by either putting him to death, or condemning him to perpetual confinement, slavery, or exile. The same one end, of preventing future crimes, is endeavoured to be answered by each of these three species of punishment. The public gains equal security, whether the offender himself be amended by wholesome correction, or whether he be disabled from doing any farther harm: and if the penalty fails of both these effects, as it may do, still the terror of his example remains as a warning to other citizens. The method however of inflicting punishment ought always to be proportioned to the particular purpose it is meant to serve, and by no means to exceed it: therefore the pains of death, and perpetual disability by exile, slavery, or imprisonment, ought never to be inflicted, but when the offender appears incorrigible: which may be collected either from a repetition of minuter offences; or from the perpetration of some one crime of deep malignity, which of itself demonstrates a disposition without hope or probability of amendment. Bl. Com. B. IV.

\* Vengeance belongeth unto me, I will recompense, saith the Lord. Heb. x. 32.

† To persons capitally convicted the king frequently offers a pardon, upon condition of their being transported for life. Many have, at first, rejected this *gracious* offer, and there have been one or two instances of persons so desperate, as to persist in the refusal, and who, in consequence, suffered the execution of their sentence. Christian's Notes to Blackstone's Commentaries.

‡ As to the end, or final cause of human punishments. This is not by way of atonement or expiation for the crime committed; for that must be left to the just determination of the Supreme Being: but as a precaution against fu-



weaker than those which have been considered. The various declarations of the European powers respecting the slave trade, and the provisions adopted for its abolition, clearly attest the light in which it is viewed by those who are not blinded by interest, on that side of the Atlantic. When the congress of the United States pronounced that traffic piracy, and denounced the punishment of death upon those who might be found on board American ships engaged in its prosecution, they sufficiently intimated, not merely their abhorrence of this murderous traffic, but their unwavering opinion, that no rights to the victims of the trade were vested in its promoters.

Our rights to this *property*, as far as the imported slaves are concerned, have thus grown up out of a series of the most flagrant and accumulated wrongs, and in direct opposition to the principles of common as well as national law.\* The foundations of *property* to an enormous amount, are laid "inconceivably in emptiness and darkness." The case of those born in the country comes next under consideration.

#### SCRIPTURE RESEARCHES ON SLAVERY.

(Concluded from page 267.)

If any object that the Jews did not understand their law as I have explained it, I reply, that our Lord teaches us to rank the Jewish doctors very low as interpreters of scripture. Matt. v. 43—47. Mark vii. 1—13—23. And farther, some of these laws they almost entirely neglected, (Neh. viii. 14—17.) as to dwell in booths at the feast of tabernacles. Others, they most wick-

edly evaded, as, to let their brethren go out free after six years, (Jeremiah xxxiv. 8—22.) If they treated their own race thus, it is not surprising that they should go farther with respect to other races. But, if I am rightly informed, the Jews now hold that a proselyte of righteousness is fully naturalized, and not to be held in bondage, but in all respects treated as a brother.

This was the law and the practice of the church in the time of Christ and his apostles. Few points were made more plain in the Old Testament, than the sin of oppressing and enslaving others; few sins had been more severely punished, as the plagues of Egypt, and the judgments on Israel, testified. Ex. chap. i. 14. Jeremiah xxxiv.

There was no need that much, if any thing, should be said about it, by our Lord and apostles. It stood on the same ground that many other things did, which were settled in the Old, and need not be repeated in the New Testament, as, the Sabbath, the sin of worshipping God by images, the membership of infants, &c.

The Jew was supposed to be established in these truths, from the Old Testament. The gentile and Jew are constantly referred to the Old Testament as the word of God, the rule of faith and practice.

What, for instance, did the Roman, Corinthian, Galatian, Ephesian, or any other gentile churches, know about the Sabbath, the membership of infants of believers, the sin of worshipping God by images, the sin of polygamy, divorce, and a thousand things that might be mentioned? and what instruction on these points do we find in the epistles addressed to them? On most of them, not a word, and on none of them much. What is said in the New Testament against many vices that then prevailed much; gladiator shows, the theatre, the plays and revels connected with paganism, polygamy, divorce, concubinage, the use of images in worship, the exposing of infants, &c? It is supposed the churches possessed the Old Testament. There they would find instruction on many of these points, and a system of doctrine and general principles that went totally to condemn them, and there they would find as much, if not more, against oppression

\* It is an admitted principle of common law, that no man can derive a *right* from an unlawful act. Or, in the language of the courts, No man may be allowed to take advantage of his own wrong.

and slavery, than against any one sin that can be named.

1. The only point on which it was needful to say any thing, was whether the law, which forbid the Jew to enslave his fellow Jew, ought, with the enlargement of the church by receiving the Gentile, be enlarged to embrace the Gentile also. Whether the breaking down of the middle wall of partition, the declaring the Gentile clean, the making Jew and Gentile one, did not require that this law of brotherly love should be extended to the whole, and put down slavery altogether?

Now, it appears to me, that if general principles can establish any point, then this point is established. Our Lord taught most clearly that we were to consider all men our brethren. We cannot well conceive of a stronger view of this point than is set before us in the parable of the good Samaritan, (Luke x. 27—37.) His people are to be a light in the world, a salt in the earth. They are to owe no man any thing but love; to be merciful as their Father is merciful; not to render evil for evil, but to do good to them that hate them, bless those that curse them; they are to do in all things to others as they would be done by. They are not to lord it over one another as the world does, but to be as brothers, and realize that God hath made of one blood all nations of men, and is no respecter of persons. The very spirit of the gospel is love, and kindness, and gentleness, and a spirit to bear each other's burdens. Nothing can be more opposed to the spirit of the gospel than forcibly holding our fellow men, and their children, in bondage, for no crime; buying and selling them as property; and compelling them to serve without wages.

That the first Christians did infer the unlawfulness of slavery, we have a good deal of proof. Clemens, in his epistle to the Corinthians, says, that he had known many who had hired themselves as servants; that they might relieve others; and even delivered themselves into slavery, that they might restore others to liberty. Serapian was twice restored to liberty, on his master's embracing the gospel. The bishop of Amida and his clergy gave the gold and silver plate of their

churches to redeem Persian captives, although Pagans, and set them at liberty. Tertullian informs us that the churches had funds raised by collections, which were employed in redeeming persons, especially their brethren, from slavery. The apostate Julian ascribes it to the kindness and active charity of the first christians, not to their own society only, but to all men, that they had such success in spreading their religion. No doubt it was a powerful means for opening the ears, and inclining the hearts of others to attend to their instructions, and learn a religion that was so full of love and kindness to their fellow-men. This accorded with the practice of our Lord and his apostles. They did good in a temporal respect to their fellow men, healed their diseases, satisfied their hunger, and thus engaged their attention to their doctrine, and gave proof that the good of man was had in view. Our Lord had attendants, but no slaves. The disciples had attendants, but no slaves. To have claimed their fellow as absolute property, held them forcibly in bondage, and compelled them to serve without wages, even if the laws of the land had permitted it, would have been a poor comment on their doctrine of love, and kindness, and doing good, of seeking not our own, but another's wealth—of bearing each other's burdens—of considering all men as their brethren, and doing in all things to others as we would have done to us, on which they so constantly and so earnestly dwelt. Would to God that all who bear the christian name had followed their example, instead of inferring from the command to servants to obey, that it is lawful to practise a slavery which God's judgments on Egypt and Israel, as well as many other things, prove to be hateful to God.

The inference in justification of slavery, from the commands to servants to obey, is most unfair, but so common, that a few remarks may be offered on it. The terms used to express servants in the New Testament, mean servants generally: and of course a justification of slavery, one condition of servitude, does not follow from them. Slavery bears the same relation to servitude generally, that polygamy does to marriage, and tyranny to government, as

the command to wives to obey their husbands, does not justify the husband in having several wives; and as the command to subjects to obey their rulers, does not justify the rulers in being tyrants; so neither do the commands to servants to be obedient justify masters in holding servants as absolute property, detaining them forcibly in bondage, and compelling them to serve without wages. The same principles and reasoning that prove that polygamy is marriage in a condition sinful in the parties, and that tyranny is government in a condition sinful in the ruler, will prove that slavery is servitude in a condition sinful in the master.

The right of the master to hold servants as slaves cannot fairly be inferred from the command to the servant to obey. For it is unquestionable, that persons in certain circumstances are commanded to perform duties, which yet no others have a right to exact, or can exact of them without sin. Matt. v. 39—41. will furnish us with an illustration. "Ye have heard that it hath been said," &c.

#### SLAVERY IN CUBA.

From various sources we learn, and it has been heretofore observed, that the state of slavery in the Spanish colonies is not so extremely oppressive as in either the French, the Dutch, or the British. The following view of it, in Cuba, is believed to be in the main correct, or as nearly so as may be requisite to form a general idea of it. The statement is based upon information obtained within a few years past; and though some changes may have occurred, in consequence of the great and steady decrease of the coloured population, compared with that of the white, still it will not, perhaps, very materially affect the general aspect of affairs.

It has been the practice, at all times, of the courts of justice in Cuba, to sanction such regulations as tend to meliorate the lot of slaves; and this has given rise to a system, which, though principally founded on custom, has acquired the force of law, and many parts of which have been confirmed in royal decrees. Among other beneficial regulations, there is a public officer in

every district, who is the official protector of slaves, and whose presence is necessary at every legal decision concerning them.

Slaves in the island of Cuba may be divided into two classes; those in *Venta Real*, that is, who may be sold by the master for any sum he chooses to demand; and *Coartados*, that is, those whose slavery is limited, by a price being fixed on them which cannot be increased at the will of the master.

Slaves may acquire their liberty by the mere grant of their master, or by testament; and the only formality necessary is a certificate, called a *Carta de Libertad*. No security is required, as in the British Islands, that they shall not become a charge to the parish. But masters are not allowed to emancipate old and infirm slaves, unless they provide for them.

If a slave can prove that a promise of emancipation has been made to him by his master, the latter will be compelled to perform it; and wills relating to this subject are always interpreted most favourable to the slaves.

Slaves may also obtain their liberty by purchase: but the master is not allowed to fix an arbitrary price; but if he and the slave cannot agree, two appraisers are named, one by the master, the other by the Protector of Slaves, and the judge names an umpire. The law exempts all sales of this description from the six per cent. duty attaching to all other sales. A master is compelled to sell his slave, if the purchaser engages to emancipate him at the end of a reasonable time. Masters who use their slaves ill, may be compelled to sell them; and in case of their not being *coartado*, by appraisement. It is the universal custom to give liberty to slaves rendering services to the state, the government paying the master for them.

A slave once emancipated cannot be again reduced to slavery. Various instances to this effect are cited; among others, the following:

A slave applied to a judge to be valued, in order to purchase his liberty; the master objected, saying it was impossible he could legally have acquired so much money. The court acknowledged, that the illegal acquirement of the money was a bar to the demand of

the slave; but held that such illegal acquirement must be proved by the master, as it would be hard to oblige the negro to account for all the money he had ever received.

Next to obtaining his liberty, the great object of the slave is to become *coartado*. This consists in his price being fixed: the master giving him a document called *escritura de coartacion*, by which he binds himself not to demand more than a certain sum for the slave, which sum is always less than his actual value, but has no relation to the price paid for him.

As slaves may acquire their liberty, so may they be *coartados* at the pleasure of their master. They may become so, too, by paying a part of their value. This arrangement is scarcely ever objected to: if it were, the slave has only to apply to a court of justice through the protector to be valued, and then, on paying fifty or a hundred dollars, his master would be obliged to give him an *escritura*, expressing that he was *coartado* in the difference between the sum paid and his estimated value. Thus, if a slave be valued at 600 dollars, and pay his master 100, he will remain *coartado* in 500: and no greater price can be demanded, whether he be sold to another master, or he himself purchase his liberty.

The slave also who is already *coartado* in a certain sum, may pay any part of it, not less than fifty dollars, and his master is bound to receive it. Again, if a master be about to sell his slave, the slave may oblige the purchaser to receive any part of the purchase money, and to remain *coartado* in the remainder; and for the part paid no tax is exacted, nor indeed for any money paid by slaves towards obtaining their liberty, for becoming *coartados*, or diminishing the sum by which they may be already *coartados*.

It is a disputed point, whether a slave can oblige his master to sell him, if he can find a purchaser who will *coartar* him. This practice being liable to abuse, is generally discouraged, unless the purchaser be willing to *coartar* the slave in considerably less than his value; in two-thirds of it, for example; in which case no judge would refuse the demand for a change of masters; the meliorating the lot of the slave,

and advancing him in the way of obtaining his liberty, being held paramount to all other considerations. In all cases, however, where a slave demands to be sold to a purchaser who offers to improve his condition, either by engaging to emancipate at the end of a reasonable time, or by agreeing to *coartar* him, or by diminishing the sum in which he is *coartado*, the original master will have the preference, and need not sell him, if he be willing to confer the same benefit on the slave which the purchaser proposes to confer.

The *coartado* slave has this great advantage, that, if hired out by his master, or, as is more common, allowed to hire himself out, he is only bound to pay his master one real a day for every hundred dollars in which he is *coartado*. Thus if *coartado* in 500 dollars, he pays five reals a day; if in 450, four and a half, and so on; Sundays and certain holidays being excluded; while the master of a slave in *venta real* is entitled to all the money the latter can earn.

The law is, that a *coartado* slave is as much a slave as any other, except as regards his price, and the quota he is to pay his master, if hired out. The master, therefore, is as much entitled in law to his personal service, as to that of a slave in *venta real*. But this is somewhat modified in practice. If a slave descend to his master *coartado*, or become so in his service, the master may require his personal service, and the slave cannot demand to be allowed to work out. But when a *coartado* slave is sold, it being the custom for a slave himself to seek for a new master, he uniformly stipulates beforehand whether he is to serve personally, or to work out, paying the usual daily quota; and judges will always compel the master to observe such stipulation, unless the slave should neglect to pay; when the only remedy is to exact his personal service. It is not uncommon, therefore, for a master wishing to employ his *coartado* slave, who has stipulated to be allowed to work out, to pay the difference between the sum the slave ought daily to pay to him, and the wages usually earned by the slave. In this case alone is the slave paid for his labour by the master, except, indeed, he is employed on Sundays or holidays.

During illness, *coartado* slaves who work out are exempted from paying any thing to their master, who, on the contrary, is bound to maintain and assist them, as other slaves.

The sum in which a slave is *coartado*, may be augmented by the amount of any damages the master may be made to pay on his account in a court of justice. But if the slave neglects for some time to pay his daily sum, this cannot be added to his price, because it was the master's fault not to have had recourse in time to the proper remedy of compelling the slave's personal service.

The law which so eminently favours the slave, does not neglect his offspring. A pregnant negress may emancipate her unborn infant for twenty-five dollars; and between its birth and baptism, the infant may be emancipated for fifty dollars; and at any time during childhood, its value being then low, it may acquire its liberty or be *coartado*, like other slaves.

In administering this system in the country parts, where there are few magistrates, there may be abuses; yet in the Havana, and other large towns, it is efficiently observed. Indeed, to the honour of the island be it said, this is the branch of the laws which is best and most impartially administered.

Wages are high in Cuba; a common field negro earns four reals a day, and is fed: a mechanic ten reals to three dollars a day; and a regular house servant, twenty to thirty dollars a month, besides being fed and clothed. With such wages the *coartado* slave is well able to pay the daily quota to his master, and to lay by something for the attainment of his liberty. This could not be done were wages much lower.

The large white population, too, is a great advantage to the slaves, from the facility thereby afforded to change masters, and thus remedy many of the evils attending their state. The lot of household slaves who derive most benefit from this circumstance, is particularly favourable. They are almost always taught some trade, and by well employing their leisure hours, they may easily acquire their liberty in seven years. Field slaves, too, have their advantages. They are by law entitled

to a certain quantity of ground, with the produce of which, and the breeding of pigs and poultry, they may well look forward to acquiring money to become *coartado*, and even to being emancipated. It is also highly advantageous to the slaves that public opinion is favourable to granting them their liberty; and all respectable men would feel ashamed to throw obstacles in the way of their becoming free; on the contrary, masters are generally very willing to assist their slaves in the attainment of this most desirable object. The effects of this system are seen in the state of the population. The last census (which, though not very exact, is sufficiently so for the present purpose) makes the whites 290,000, the free people of colour 115,000, and the slaves 225,000.

Gen. of Univ. Eman.

#### PROGRESS OF DISCOVERIES IN AFRICA.

Though the eastern parts of Africa appear to have been settled soon after the deluge, and to have been the seats of civilization and science, at a time when Europe was either unknown to the human race, or occupied only by a few scattered hordes of wandering savages; yet a large portion of that interesting continent remains to this day unknown to civilized man.

The oldest historical notices of Egypt, which have escaped the ravages of time, give us a high opinion of its early importance. In the days of Abraham, when a famine prevailed in the favoured land of Canaan, Egypt was the resort of the patriarch and his family. And it is remarkable, that the earliest notice of the precious metals, as a constituent of wealth, occurs in immediate connection with the narrative of his egress from that country; an evidence, in the absence of better, that the fertility of the soil, and the early civilization of the inhabitants, gave to those metals in that country,

prior to any other, their commercial importance. Egypt was, unquestionably, the granary of the ancient world, and the centre to which those productions of the surrounding countries that were most highly prized, and most easily transported, would naturally flow.

In the time of Solomon, a portion of Africa, whose local situation is but imperfectly designated, appears to have been highly civilized. The visit of the queen of Sheba, or queen of the south, to that illustrious monarch, furnishes conclusive testimony of the wealth and magnificence of the royal visiter. Nor was wealth or magnificence all that was displayed. The kings of the surrounding nations came to *hear* the wisdom of Solomon, but the African queen came to *prove* him by hard questions. They came, as pupils, to learn by the wisdom of an acknowledged superior; she came, as a professor, to examine his claims to superiority. The wisdom of Solomon, and the magnificence of his court, were not to her the objects of stupid wonder and amazement; she appears to have been fully able to comprehend them. This plainly marks a cultivated understanding; for, to the untutored mind, the wisdom of Solomon must have been a glittering, but distant meteor.

The commerce which was carried on by the fleets of Solomon and Hiram, from the shores of the Arabian gulf, is now believed to have extended to the south eastern coast of Africa. The Ophir of the ancients, the land from which Solomon imported such quantities of gold, appears to be situated in the kingdom of Sofala, near the parallel of 20 degrees south; consequently, those fleets must have nearly cross-

ed the torrid zone.\* The knowledge of the African continent, which was derived from this temporary effort of commercial adventure, was probably limited to its coast, and even this limited information appears soon to have been in great measure lost. The native wealth of some parts of that continent, the fame of which no doubt extended where little accurate knowledge on this subject was possessed, must always have furnished inducements to attempt discoveries in those opulent regions; but the difficult and hazardous character of ancient navigation presented serious obstructions to the prosecution of discoveries by sea. The ancients were ignorant not only of the use of the mariner's compass, so indispensable to modern navigators, but of the means of beating to windward, as it is technically called, or making their way in opposition to the direction of the wind; they were, therefore, obliged to keep along the shores, or depend upon the continuance of fair weather, to enable them to steer by the celestial bodies, if they ventured upon the open ocean. They were also compelled to cast anchor whenever the wind was adverse to their intended course. The nature of the continent must always present formidable obstructions to discoveries by land. The vast deserts of arid sands, which separate the insulated oases; the burning heat of the climate; the pestilential gales which sweep over the deserts, and the rave-

\* Admitting this opinion to be correct, the phenomenon, which Herodotus has mentioned, but not admitted as a truth, must have been familiar to the mariners of Solomon and Hiram, viz. the appearance of the sun on the right hand, while they were sailing to the west.

nous beasts which prowl about the forests, must render a journey through the interior of Africa, at all times, a hazardous enterprize.

In the earliest period to which authentic history extends, the northern as well as eastern shores of Africa were known and peopled. The names of Libya and Carthage are as familiar, in classic history, as those of Greece and Rome. The extent of ocean and of land bounding upon the discovered parts of Africa, attracted, in a peculiar degree, the attention of the ancients. Africa was the object to which were directed most of the expeditions of discovery, which are preserved on the records of antiquity. Two objects were in view, in these expeditions—the examination of the coast, and the discovery of the extensive countries scattered over the interior of the continent. To effect the former, the neighbourhood of the Red Sea, and the western extremity of the Mediterranean, were the proper points of commencement.

The earliest attempt to circumnavigate the African continent is attributed to the Phenicians. A fleet, we are told, fitted out by Necho, king of Egypt, and manned by Phenicians, sailed from a port in the Red Sea, along the south-eastern shore of Africa. The crew at length landed on the coast, sowed a crop of grain, and waited until it was ready to be gathered. Having collected their harvest, they proceeded on their voyage, and in the third year from the commencement of the voyage, they entered the Mediterranean at the straits of Gades, and thence returned to Egypt.\* The historian adds, as an

incredible part of the narrative, the assertion of the voyagers, that in sailing round the African continent, they had the sun on their right hand. This supposed incredible story, must be admitted as one which gives to the whole narrative its highest credibility. Unless those who performed the voyage, or invented the story, understood geography or astronomy rather better than the historian, they never would have conceived that such a tale, if untrue, would obtain belief. If the voyage was really performed, the fact must have been as related; they could not pass a year, in the southern hemisphere, without having the sun, at noon, to the north. The inhabitants of Greece and northern Egypt, in the time of Herodotus, could hardly invent such a tale.

The reality of this voyage has, indeed, been called in question, on plausible grounds. The voyage has been deemed too great an achievement to be effected at the period assigned to it; the state of navigation at the time being supposed inadequate to its accomplishment. The ancients, however, are well known to have accomplished, by dint of perseverance, undertakings which the moderns must contemplate with astonishment. The accounts of the pyramids, catacombs, and other works of the ancients, would be considered as fabulous, if they were to be found only in the pages of a few ancient authors. If the Phenicians penetrated as far as the kingdom of Sofala during the reign of Solomon, it seems to be carrying scepticism rather far, to

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whom king Josiah engaged in his fatal contest. If so, the voyage in question may be dated about 600 years before the Christian era.

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\* Herodotus, book iv. This Necho is supposed to be the monarch with

deny the *possibility* of extending the voyage to three times the distance, after the additional experience of four hundred years.

The ignorance of succeeding authors respecting the form and extent of the African continent, has been urged as incompatible with the reality of the Phœnician adventure. This, it must be admitted, is but negative testimony. The apparent extravagance of the declaration respecting the position of the sun was probably sufficient, in that age, to discredit the whole narrative, and consign this important achievement to a temporary oblivion.

A similar voyage, though in an opposite direction, is said to have been attempted at a subsequent period. Sataspes, a Persian nobleman, having been guilty of a crime, for which he was condemned to be crucified, Xerxes, the reigning monarch, was persuaded to commute this punishment for the circumnavigation of Africa. Sataspes, accordingly, having procured a vessel and crew in one of the Egyptian ports, set out on this formidable voyage. He passed the straits of Gades, and sailed for several months along the western shores of Africa. Having neither the hope of fame or wealth to stimulate them, the commander and crew were so much appalled by the unpromising appearance of the desolate shores, and the boundless ocean by which they were girdled, that they soon relinquished the enterprise, and returned to their native country.\*

During the reign of Cleopatra, Eudoxis, a native of Cyzicus, is said to have attempted to circumnavigate the African continent. Being engaged in the trade between India and the Red Sea,

he was driven, by the north eastern monsoon, upon the eastern shore of Africa, where he landed, and entered into traffic with the natives. Here the desire to sail round the continent appears to have taken possession of his mind. A desire which was increased, if not originally produced, by the discovery of a small part of a vessel, which had been wrecked on the coast; and which was supposed similar to those then in use on the south western coasts of Europe. He repaired to Cadiz, which was then a large commercial city, where he succeeded in fitting out an expedition, much better suited to display the pride of wealth, than to effect discoveries in unknown and inhospitable regions. He had one large, and two small vessels, on board of which were embarked, not only provisions and merchandize, but medical men, persons skilled in various arts, and even a large band of musicians. Proceeding along the western coast of Africa, they were thrown upon a sand bank, from which the vessels could not be removed. With part of the timber a new and smaller vessel was constructed, with which the voyage was resumed. Finding difficulties too formidable to be overcome with his small and ill-constructed vessel, he returned to Europe; and at length commenced another voyage of discovery, with fairer prospects of success than before. Whether he succeeded in the accomplishment of his arduous designs cannot be ascertained, as the narrative of Strabo, to whom we are indebted for the account, breaks off, without detailing the conclusion of the expedition.†

These are the only instances on record, in which the complete circum-

\* Herodotus, book iv. 43.

† Leedon's Discoveries in Africa.



navigation of Africa was either performed or attempted by the ancients. Other voyages were, however, undertaken, with a less extensive design. One of the most remarkable of these was the voyage of Hanno, the Carthaginian. This expedition was fitted out with a double view, colonization and discovery. The armament consisted of sixty vessels, with a large number of persons, of both sexes, on board. Sailing from the Straits of Gades, they landed, after two days, on the African coast, and established a colony, assigning to the city which they founded there the name of Thymiatium. Proceeding to the south, they founded successively a number of cities on the coast. At the island of Cerne, supposed to be that known to the moderns by the name of Arguin, they founded a colony, which became the principal station of the Carthaginians on that coast. Several curious phenomena are represented as having been observed by the followers of Hanno, some of which must have given to the narrative, in the eyes of their sober contemporaries, a highly romantic character. On some parts of the coast a profound silence is said to have prevailed during the day, but during the night innumerable fires appeared, and the air resounded with the noise of pipes, drums, and human voices. The Carthaginians, alarmed at these appearances and sounds, left that part of the coast, without venturing to examine the cause. This is explained by adverting to the practice of the negroes, on some parts of the coast, at the present time, to pass the day in repose, and to kindle up their fires at night, and indulge in dancing and obstreperous mirth. At another place, the Carthaginians are said to have met

with beings in human form, but completely covered with hair. These inhabitants, as the Carthaginians esteemed them, were so active, that they could not be readily taken. The males clambered up precipices, and threw stones down upon their pursuers. Three females, however, were slain, and their skins carried to Carthage. These singular *inhabitants* are known to the moderns as a superior species of ape; the ourang-outang.

How far this voyage extended, has not been conclusively determined by modern geographers. By some they are supposed to have followed the coast to the southward of Sierra Leone, while others consider the voyage to have ended near the river Nun, about the 28th degree of north latitude.

The acquaintance of the Greeks and Romans with the western coast of Africa, appears to have been chiefly derived from the information of others. The Periplus of Seylax was probably compiled from the narratives then extant of preceding voyagers. The author describes the western shores of Africa, as far south as Cerne, nearly as Hanno had done. Beyond that island he represents the navigation to be completely obstructed by accumulations of mud and sea-weeds. The native inhabitants of the country are denominated Eshioptions, and are said to exceed all others in stature.\* With them the Phenicians are said to have carried on a traffic in ivory, which was

\* The labour of Egypt, and the merchandise of Ethiopia, and of the Sabians, men of stature, shall come over unto thee; and they shall be thine. Is. xlv. 14. The Ethiopians, to whom Cambyes sent, are reported to be superior to all other men, in the perfections of size and beauty. Herodotus, book iii. 20.

so abundant that the natives not only made it into cups, but used it to decorate themselves and their horses. These people must have made considerable advances in civilization, for they are represented as possessing a great number of domestic animals, and importing the luxuries of Egypt and Athens.

At a much later period, Polybius, the historian, was sent by Scipio to explore the western coast of Africa; but, unfortunately, nothing except a very meagre itinerary of the voyage remains. It has been inferred from these scanty details, that he did not add any thing important to the discoveries of the Carthaginians.

The knowledge of the eastern coast of Africa, which the Hebrew and Tyrian mariners must have possessed in the time of Solomon, appears to have been lost in the subsequent ages. It does not appear that Ophir was ever known to the Greeks. To them the eastern shores of Africa presented an unoccupied field for discovery.

From the *Periplus of the Erythrean Sea*, a work supposed to be published a short time posterior to the age of Pliny, it appears that a trade was then carried on, from the shores of the Arabian gulf along the south eastern coast of the continent. Commencing their voyage at Myos Hormos, (near Cosier,) they touched at several ports on the western coast of the Red Sea. At Adulis, situated near the modern Mes-suah, they obtained excellent ivory, which was brought from the interior. Between Adulis and the straits, a prince, celebrated for his acquaintance with Grecian literature, is said to have reigned; with whose subjects an extensive traffic was carried on. Passing the straits, they entered the gulf of the

Avalites. Along this coast, as far as Cape Aromata, (Guardafui,) myrrh, frankincense, cassia, and other aromatics, were collected. After passing cape Aromata, the voyage was prosecuted along the coast of Azania, (Ajan and Zanguebar,) to a port denominated Rhapta, the emporium of Azania, and the furthest then known. This region was governed by a king of Arabian origin. Here they procured ivory in great abundance, but of inferior quality to that obtained at Adulis; also rhinoceros' horns, and tortoise shell. The situation of Rhapta is not now known; and, consequently, the extent of the discoveries made by the Greeks of Alexandria, is involved in doubt. It appears probable they did not penetrate those unknown seas beyond the tenth degree of south latitude, and consequently their voyages were considerably shorter than those of the Hebrew mariners above a thousand years before. If they had extended their voyages to Sofala, it is not to be imagined that the precious metals would have escaped their notice, or that, if found, they would have neglected to mention them.

Barren and unsatisfactory as our information, relative to the nautical discoveries of the ancients on the African coasts, must be admitted to be, those of the interior, which were prosecuted by land, afford still less satisfaction to the inquiring mind. The task of the historian is not only a laborious, but a mortifying one. The materials are often so scanty as to disappoint curiosity, or the truth so mingled with fable, as to baffle ingenuity in her attempts to separate them.

The first journey on record into the interior of Africa, which was under-

taken for the purpose of discovery, is related by Herodotus.\* The historian received his information from certain Cyrenians, who had themselves obtained it from one of the African sovereigns, who resided in the neighbourhood of the celebrated temple of Jupiter Ammon. The travellers were Nassomians, the ancient inhabitants of Syrtis, and its vicinity, a country included within the present dominions of Tripoli. Some young men, who were sons of the principal inhabitants, upon coming to man's estate, deputed, by lot, five of their number to explore the solitudes of Africa, and to extend, if practicable, their discoveries beyond all preceding adventurers. Being well furnished with water and provisions, but whether with beasts of burden, we are not informed, they proceeded to the southward, through the country which was inhabited either by men or wild beasts, until they reached the borders of the desert. Turning to the westward, they travelled during many days, over a barren and sandy soil, until, at length, arriving probably at an oasis, they discerned some trees covered with fruit, which they began to collect. While they were thus employed, some men, (as they asserted,) of a dwarfish stature, came upon them, seized their persons, and carried them away. They were ignorant of the language spoken by these new acquaintances. The prisoners were conducted over a tract of marshy grounds, to a city, the inhabitants of which were black, and, if we are to give full credit to the narrative, all of diminutive size. The city was washed by a large river, abounding with crocodiles, and flowing from west to east. These Nassomians

are said to have returned to their own country, where they embellished their narrative by stating that the inhabitants of their newly discovered city were all *magicians*, as well as dwarfs. If any rational inference can be drawn from this apparently fabulous narrative, it leads to a supposition, that a considerable degree of civilization had been then attained in the interior of Africa. An inhabitant of the South Sea islands would probably suppose that the people of Europe, or the United States, were deeply versed in magic. The river, to which these prisoners are said to have been conveyed, is supposed by Herodotus to be the Nile. A journey by land from Tripoli to the Niger, would appear more likely to be accomplished.

The mad expedition of Cambyses into the interior of eastern Africa, though undertaken with views much less defensible than even barren curiosity, probably added something to the ancient geography of that country. The hardships and privations of one detachment of that devoted army, and the total destruction of the other, must have shown, too clearly to be mistaken, the extreme difficulty and danger of the attempt to explore those inhospitable deserts.

Herodotus, the historian, travelled into the Upper Egypt, for the purpose of collecting materials, geographical and historical, for his celebrated history; though it does not appear that he penetrated into the interior, or left the parts which were inhabited by civilized man.

Alexander, of Macedon, while at Thebes, was seized with a desire to visit the temple of Jupiter Ammon, which was situated on an oasis in the Libyan desert, surrounded by an ocean of sand.

\* Book ii. 32.

He set out from Alexandria, which he had just laid out, accompanied by a part of his army, on a journey of about 250 miles, most of which lay through sandy deserts. Even those hardy veterans, accustomed as they were to danger in its most appalling forms, were greatly terrified at the dreary prospect of an extensive and trackless waste of sand, where neither tree nor vegetable of any kind was to be seen. Having consumed their stock of water, they were reduced to the greatest extremity, when they were relieved by a copious shower of rain.\* The journey was at length effected, and the ambition of the monarch gratified; but little remains of this vain-glorious enterprise to satisfy modern curiosity. The accounts which the historians of that age have preserved of the oasis in which the temple was situated, are too much blended with fable to be admitted without large deductions.

The journey of Septimus Flaccus and Julius Maturius across the Libyan desert, which is given by Ptolemy, without any of its details, must close the meagre narrative of the efforts which were made by the ancients to explore the interior of Africa.

#### INTERNAL SLAVE TRADE.

The Georgia State Engineer advises the Legislature to purchase as many slaves as the nature and extent of certain proposed public improvements in that state may require. He says:

"The number of negroes should be proportionate to the extent of the improvements; and if I am permitted to express an opinion on this subject, I think the number should not be under two hundred. Such a gang of young, healthy, and vigorous hands, I pre-

sume, could be purchased in Maryland or Virginia, at a sum not exceeding \$80,000, delivered in Georgia; the annual expense of food, clothing, and superintendence, would probably amount to \$25,000. The original cost of the negroes may be considered as so much money loaned out of the treasury without interest, for when the state has accomplished such improvements as may be thought necessary, the negroes may be disposed of, and the money returned into the treasury."—*Nat. Gas.*

Whether this proposal has been acted upon by the legislature of Georgia, I am not informed; but what a picture of public feeling does the recommendation itself present to our view! The legislature is gravely advised to engage in, and become a party to a traffic, which is substantially the same as that which the general government has denounced as piracy, and directed its naval commanders to suppress. An act of Congress, passed in 1819, appropriated 100,000 dollars to the suppression of the slave trade, to which subsequent appropriations have been added. No less than 185,140 dollars of the people's money have been actually expended in the efforts which have been made towards the attainment of this momentous object.† Yet here we have a proposal to appropriate 80,000 dollars to a trade which differs but little in its character and incidents from that against which the thunders of the American navy are pointed. A journey by land and on foot across the Carolinas is, doubtless, less destructive to negro life, than a voyage across the Atlantic, in the hold of a slave ship; but the separation of families, in the case before us, would probably be more complete than in the African trade. "Young, healthy, and vigorous" slaves, to the

\* Rollin, book xv. sect. vii. from Q. Curtius.

† Report of the Secretary of the Navy, Dec. 1, 1827.

number of two hundred, would hardly be selected from the slave families in Maryland and Virginia, without inflicting a wound, at which the feeling mind must shudder, on many an anxious relative, as well as on the immediate victims of the trade. This scheme, we may observe, contemplates the revival, to a certain extent, of a prohibited traffic. The importation of slaves from abroad into the state, was constitutionally proscribed in 1798; and their introduction, except under certain limitations, from other states of the Union, was forbidden by law in 1817.\* Judging of the plan from the

\* "From and after the passing of this act, it shall not be lawful, except in the cases herein authorized and allowed, for any person or persons whatsoever, to introduce into this state, to assist, or knowingly to become interested in importing into this state, in any manner whatsoever, any slave or slaves; and every person so offending shall be deemed guilty of a high misdemeanor, and, on conviction, shall be sentenced to pay a fine of five hundred dollars, for each and every slave so introduced, and to undergo an imprisonment in the penitentiary at hard labour for any period of time not less than one year, nor longer than three years. *Provided always*, that this act shall not extend to any citizen of this state, residing or domiciliated therein, nor to any citizen of any other state, coming into this state with intent to settle and reside, and who shall, on so coming in, actually settle and reside therein, who shall introduce into this state any slave or slaves, for the sole purpose of being held to service or labour by the person or persons so introducing such slave or slaves, his heirs, executors, or administrators, and without intent to sell, transfer, barter, lend, hire, mortgage, or in any other way or manner to alien or dispose of such slave or slaves, so as to vest the use and enjoyment of the labour or service of such slave or slaves in any other person or persons, than the person or persons so introducing such

terms in which it is couched, I should conclude that an agent or agents are to be appointed by the legislature, to undertake a pilgrimage to the slave manufactories on the Potomac, and collect, as they can, among the slave breeders there, the requisite number of young, healthy, and vigorous slaves, to be transported to Georgia, and employed at the public works. These slaves must of course be *picked*, unless families for sale should be found, in which all the members are young, healthy, and vigorous. These slaves, after being employed, as long as their services are required, on the public works, and thus in some degree domesticated in Georgia, are again to be exposed to sale, probably at auction, to the highest bidder, and endure the

slave or slaves, or in his or her heirs, executors, administrators, or legatees, whether such sale, transfer, barter, loan, hiring, mortgage, or alienation, or disposition of such slave or slaves, shall be for the life or lives of such slave or slaves, or for any other period of time." The act then prescribes, that every person about to introduce a slave or slaves into the state, under favour of this exemption, shall subscribe an affidavit that such slaves are intended for the sole use of the owner, and without any intent to be sold, or in any way aliened or disposed of, so as in any manner to evade or defeat the true intent of the act. A similar oath is required after the importation. Any person neglecting these regulations is liable to the full penalty of the act.

The *intention* of the act appears to have been to prevent the purchase and importation of slaves into the state. The proviso may be understood to intend, that emigrants coming to settle in the state, should be at liberty to bring their slaves with them; and that citizens, coming into possession of slaves, by bequest, marriage or inheritance, should be permitted to bring such slaves into the state. See Prince's Digest, page 373.

pangs of a second separation from their friends, and the scenes with which they had become familiar.

Should this proposal be adopted, the legislature or its agents will be placed in a curious predicament. A traffic will be prosecuted on behalf of the state, for which an individual, not duly authorised, would incur not merely a pecuniary fine, but a three years' imprisonment in the penitentiary.

#### SLAVERY IN GREAT BRITAIN.

An unusual degree of interest has been excited in England by a recent decision of Sir William Scott, in the high court of admiralty. The case excites the greater attention, not only from its relation to the subject of slavery in general, but from its effect upon a question which had been generally supposed irrevocably settled in English law. Ever since the year 1772, it has been understood, if not by the profession, at least by the community in general, that the moment a slave landed upon the English shore, he became free. The recent decision has given a new aspect to the case. It will doubtless be interesting to our readers to see this case, and the former one, stated somewhat in detail.

The celebrated case of *Somerset*, which has been considered as establishing the freedom of slaves, whenever they landed in England, is given very briefly in *Clarkson's History of the Abolition of Slavery*,\* and apparently without the attention to accuracy, by which the works of that excellent author are usually marked.

\* Vol. i. p. 64. In the above passage it is asserted, that both *Granville Sharp* and *Lord Mansfield* were desirous of a decision on the broad princi-

*James Somerset*, a negro, was imported from Africa, and sold in Virginia. In the latter part of 1769, he was brought by his master *Charles Stewart* to London. *Somerset* at length left the service of his master, who thereupon had him seized, and conveyed on board the ship *Ann and Mary*, then lying in the Thames, and bound for Jamaica. Before the vessel put to sea, a writ of *habeas corpus* was served on the captain, requiring him to bring the said negro *James Somerset* before *Lord Mansfield*, and show the cause why he was detained on board the ship. The captain, in return to this writ, informed the court, that he detained the said negro as the slave of *Charles Stewart*, with the intention of selling him as such in the island of Jamaica. This was near the end of the

ple, whether an African slave coming into England became free? Whereas it appears evident, from the report of this case in *Hargrave's State Trials*, and in *Lloft's Reports*, that *Lord Mansfield* was very unwilling to decide the cause, even upon the more limited ground whereon the decision was actually rested. After argument by counsel, *Lord Mansfield* observed, "The question is, if the owner had a right to detain the slave, for the sending him over to be sold in Jamaica. In five or six cases of this nature, I have known it accommodated by agreement between the parties. On its first coming before me, I strongly recommended it here. But if the parties will have it decided, we must give our opinion." And a little further on, "If the parties will have judgment, fiat justitia, ruat cælum, let justice be done whatever be the consequence." *Lloft's Reports*, p. 17. Such being the feelings of the judge, we may very naturally conclude he would narrow the decision as far as practicable; at least, we can hardly imagine he would decide any thing more than what he supposed his duty required.

year 1771. The case being considered a very important one, it was referred to the court of king's bench, and the counsel for the negro requested time to prepare for argument, which was granted, and the hearing postponed till the following term. No less than five counsellors were heard in defence of the negro, and two in support of the claim, at the different terms when the cause was argued. The eloquence displayed on this occasion is said to have been seldom, if ever exceeded; and the arguments exhibited a fund of erudition, and an extent of research, which few cases are capable of eliciting. The arguments of Francis Hargrave disclose the principal grounds assumed by those who were opposed to the return; but they are too extensive to be analysed, except very briefly, in this journal.

The first point which he endeavours to prove is, that the only kind of slavery which is recognised by the laws of England, is the system of villenage. This system he considers as having originated in the wars between our British, Saxon, Danish, and Norman ancestors, while they were contending for the possession of the island. This villenage, therefore, did not grow up under the laws of England, but was coeval with or anterior to their formation; the growth of barbarous ages, which the improvements of law had been continually reducing within narrower limits. It was essential to the existence of this species of servitude, that it should have existed from time immemorial in the paternal line of the villein. No mode was admitted in English law for the introduction of a *new* slavery into England, or of recruiting the stock of villeins by the addition of new families. This slavery

had long been extinct in England, by the deaths and emancipations of those who were once objects of it. No *new* slavery would be recognised in England, because it must want the indispensable requisites of the only slavery known to English law; viz. immemorial usage in the blood of the slave. The law of England excludes every slavery not commencing in England; and every slavery commencing there which is not ancient and immemorial.

He afterwards proceeds to show, by reference to legal authorities, that slavery cannot originate in England by *contract*, and hence infers, that the law which prohibits the less offensive, will not sanction the more oppressive modes of originating slavery.

Throughout his argument he confines himself to prove the non-existence of slavery in *England*; for he plainly admits, that slaves may be held in the British dominions in America, and in the East Indies. He cites the opinions of chief justice Holt and Lord Northington, that, as soon as a negro comes into England he is free: these opinions, however, appear to have been given incidentally, and not as solemn decisions.

A second point in the argument was, that supposing the negro *Somerset* to be, while in England, the slave of Charles Stewart, he must be held under the limitations which the laws had imposed upon the lords of villeins. Here a positive law, as old as the time of William the Conqueror, prohibits the deportation of slaves as objects of sale. Hence, if a slave could be held in England, the master could not lawfully send him out of the country to be sold, as *Somerset* was intended to be. In the arguments of Hargrave and his colleagues, we find the expression,

which had been used in the days of Elizabeth, more than once repeated, that the air of *England* was too pure for a slave to breathe in.

Lord Mansfield (Trinity term, June 22, 1772) gave his final decision very briefly. After reciting the causes assigned by the captain for detaining the negro James Somersett on board of his ship, and making a few preliminary observations, he subjoins, "the only question before us is, whether the cause on the return be sufficient? If it is, the negro must be remanded; if it is not, he must be discharged. Accordingly, the return states, that the slave departed, and refused to serve; whereupon he was kept to be sold abroad. So high an act of dominion must be recognised by the law of the country where it is used. The power of a master over his slave has been extremely different in different countries. The state of slavery is of such a nature, that it is incapable of being introduced on any reasons moral or political; but only positive law, which preserves its force long after the reasons, occasion, and time itself from whence it was created, are erased from memory. It is so odious, that nothing can be suffered to support it, but positive law. Whatever inconveniences, therefore, may follow from a decision, I cannot say this case is allowed or approved by the law of England; and therefore the black must be discharged."

However desirable it must be to the philanthropist, that slaves landing in England should become instantly free, candour requires the admission, that the decision of the above case fails to establish that doctrine. One important point is certainly established by it: A slave accompanying his master to Eng-

land, cannot be forcibly sent off the island.

But whether a master bringing a slave into the island, may lawfully exact his services there, is another question. Whether, again, upon a slave landing on the island, the claims of the master become void, or only voidable, may be questioned; but the question is not answered by this decision. It appears, however, by the judgments subsequently pronounced in several cases by the English judges, that the construction has always been in favour of the freedom of the slave, as long as he continued in England. A question still remains, what will be the condition of a slave, who shall visit Great Britain, and return again to the island in which he was previously held? Is the right of the master revived by the return? This is the question whose decision has recently produced such an effervescence in the English community.

A female of the name of Grace, held as a slave in Antigua, was taken to England as an attendant upon her mistress, a planter's wife. There she remained for some time as a servant, and upon the return of her mistress to Antigua, she accompanied her thither. A question was afterwards raised respecting her freedom. Several points were made; but the principal question, and, indeed, the only one which involves a general principle, was, whether the power of the owner, which is admitted to have become dormant while the woman remained in Great Britain, was revived on her return to Antigua? The cause was tried before one of the local tribunals, and decided against the freedom of the woman. An appeal was made to the high court of



substantially correct, after an exhaustive opinion by Sir William Grant, the judgment of the court seems well-considered.

The judge considers this question as depending on the interpretation of *Somerset's* case. In his review of that case, he adverts to the opinion of *Tyres* and *Tuboe*, the attorney and solicitor general, given in 1772, that a slave coming from the West Indies to Great Britain, either with or without his master, does not become free; and that the master may legally compel him to return to the plantations; and as a similar judgment pronounced in 1783, by Sir Philip Yorke, then became lord chancellor, acting as a court of chancery. Here the learned judge seems to betray a partiality for the slave-antislavery side of the question. He appears to consider the practice of buying and selling slaves on the exchange and other places of public resort in London, as an evidence of general acquiescence with the doctrine of the chancellor, and a national sanction of this opprobrious traffic. This judgment, says he, was in no more than twenty-two years reversed by Lord Mansfield. The decision of Lord Mansfield, he says, established the doctrine, that the owners of slaves had no authority or control over them in England, nor was there any power of sending them back to the colonies. This is represented as a sudden change, the reversal of a decision which had been delivered by lawyers of the greatest ability in the country; and the proscription of a system confirmed by a practice which had obtained, without exception, ever since the institution of slavery in the colonies, and supported by the general practice of the nation, and by the public establishment of its government, and it seems without any apparent op-

position on the part of the people. He would have treated this part of the subject more fully, not to say more candidly. It is but a little more accurate in its chronology, and has stated, as the majority might, that the practice of sending slaves to the streets, and publicly trafficking in their persons, under colour of legal authority, and given to such a height as to excite the serious attention of the more philanthropic part of the community. These circumstances being considered and encouraged by the legal opinions of *Yorke* and *Tuboe*, and the subsequent decision of the former in capacity of lord chancellor, had engaged a number of lawyers of the greatest abilities in the kingdom, to examine more deeply the foundations of the doctrines on which the traders were acting; and in consequence of the new light which was shed on this momentous subject by these laborious inquiries, as well as the repulsive character of the existing traffic, the latter decision was obtained. The learned judge seems to think that Lord Mansfield made his decision rather broader than the question before him required; and yet his own construction of that decision is unquestionably an extension which is not essential to it. He considers the sole question, which it was necessary to decide, to be, whether the slave could be taken out of the country to be returned to slavery in the West Indies? And that was the question really decided. The reason of the decision, it is true, is rather broader than the decision itself. "Slavery is so odious that it cannot be supported without positive law."

Here the judge endeavours to show, that villenage, the supposed English prototype of slavery, and the slavery of

of the West Indies, have a similar origin; both being founded in custom. Without pretending to argue a question of law with Sir W. Scott, I may observe, that the West Indian slavery has not the same foundation as English villenage; it is not founded on *immemorial* usage. It did not descend with the customs which compose an acknowledged part of the common law, from times beyond the memory of man.\* And, therefore, unless this system has a foundation of its own, it can have no legal foundation at all. Sir William expresses a doubt whether the resemblance between villenage and African slavery was so close as to effect, by the decay of the former, the fall of the latter in England. He considers the sentence of emancipation, pronounced by Lord Mansfield, as owing to the increased refinement of the sentiments and manners of the age, rather than to the decay of the two systems of villenage. He proceeds to show, that the decision in *Somerset's* case did not extend beyond the island of Great Britain, and was so understood by Hargrave, one of the most eminent of the advocates. The present question, he says, might have been then settled, by act of parliament, with very little comparative difficulty, and if then so settled, would have saved abundance of trouble.

Admitting that a slave, landing in England, becomes free, he proceeds to the question, what effect is produced by his return to the colony where he was held as a slave. This return is tacitly presumed to be voluntary. One

argument, to show that he returns to slavery, is founded on the fact, that, during the time which has elapsed since the case of *Somerset* was decided, no instance has occurred, in which the attention of English justice has been called to the case. The uniform practice on one side, and acquiescence on the other, are construed as a presumption in favour of the claimants. Black seamen have been employed in navigating the West Indian ships to Great Britain, and yet the slavery of the West Indies has not been interrupted on that account. Slaves have come into Great Britain, and passed out of it, in returning to the colonies, in the same character of slaves. No doubt has been entertained of their state, after the return, whatever it might have been while in England. The practice of the colonies, in this particular, has not been interrupted or restrained by the mother country. This may be considered as presumptive evidence of its legality. Policy also peeps out. If the numerous slaves in the West Indian archipelago, who have been in England, or whose mothers have been there, were now declared free, a set of important and complicated interests, on both sides of the Atlantic, would be affected.

A difficult question has to be met, in order to support the conclusion in favour of slavery. A person landing in Great Britain is admitted to be actually free, not merely liable to become free. The ownership has become extinct, and not merely dormant. The maxim of law, which grew into popular use during the decay of villenage, "once free for an hour, free for ever," stands in the way. This is dispatched, by disposing of the *maxim*, rather than the *principle*. The maxim is said to have belonged to the system of villen-

\* A custom is not good in English law, if it can be shown to have commenced since the reign of Richard the first.

age, while in a state of decay; that negro slavery is not an exact copy of villenage, and that, as villenage did not travel out of England, its laws and maxims do not control, and have never been used to control, their transatlantic possessions. The question is made to turn essentially upon the difference between the laws of the mother country and those of the colonies: and upon the principles which have been permitted to govern on the different sides of the Atlantic. While slavery has been discountenanced at home, it has been encouraged and supported in the colonial dependencies.

Taking this decision, and the arguments by which it is accompanied, as an exposition of the present law of Great Britain, in relation to slaves, the matter may be summed up in a few words. A slave passing, with or without the consent of his master, from a slave colony dependant upon Great Britain to the mother country, or taking refuge on board an English ship of war, becomes immediately free, and cannot be lawfully carried back by force into the colony from which he escaped. But a slave having thus become free, and returning to the colony from which he escaped, relapses into his original state of slavery.

May we not be permitted to hope, that, if this decision should not be reversed, the case may obtain the attention of parliament? If the air of England is not yet too pure to sustain a dormant slavery, probably an act of parliament might be procured which would impart to it all its-boasted purity.

It may be observed, that the air of several of our states is nearly as pure as that of Great Britain; and had not

this quality been impaired by an article of the constitution, would probably have been wholly so. One case may, and sometimes does, occur, in which these non slave-holding states furnish a complete asylum to the slave.—When a master is accompanied by his slave into one of the free states, the latter may choose his own time for returning into slavery; there is no law to compel his return. An instance of this kind occurred a few years ago in this city. Upon application to Judge Washington for a certificate to authorise his removal, the judge replied, that, as the slave did not escape from another state or territory into this, he had no authority to direct his return; the man must choose for himself whether to go back with his master or not.

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*Manufactures.*—The Petersburg Intelligencer, in some remarks on the prospect of Virginia becoming a manufacturing state, and on her present condition, draws the following glowing but doubtless accurate sketch of her present condition:

However, the season for serious reflection has arrived. For years Virginia and other states to the south have been evidently on the decline, while N. York and her northern and eastern sisters have flourished in a measure beyond example. One reason is, that we have depended alone on agriculture, the products of which year after year have fallen in price; while they have turned their attention to manufactures and commerce, as auxiliary branches necessary to assist and sustain that which is the main pillar of a nation's strength. Is this so? Our decaying towns, and deserted plantations, present a melancholy and heart-sickening contrast to their wealthy cities, and hundreds of thriving villages that have risen like exhalations—and where are our great public works to vie with theirs? our canals, roads, bridges—where? But what shall be our remedy? Let us avail ourselves of the bounties

of nature, and embrace the advantages presented by circumstances—let us establish manufactures, at least to an extent sufficient for domestic consumption—thus providing partially a home market for one of the great staples of our agriculture, at the same time lessening so far the outgoing of our people. Let us, in fine, if we are not dead to our own interests—if we are at all ambitious of rivalling the great states of the north and east—*let us profit by their example.*

This will unquestionably be good policy. But what is that example? The establishment of manufactories, I suppose. Who then are the operatives? The answer is easy—free men, and not slaves. The editor of the *Intelligencer* may be assured it is the difference in the condition of the operatives, not in the nature of their employments, that causes New York and her eastern sisters to flourish, while Virginia, with all her natural advantages, is verging to decay. It has been a question among political economists, whether agriculture or manufactures ought to be preferred. Adam Smith considered the former as the proper source of national wealth. Certain it is, that nations have flourished, and made rapid advances in the accumulation of wealth, among whom manufactures were either neglected, or carried on to a very limited extent. Our own country furnishes a striking example. Who can deny that our situation, as a nation, was highly prosperous, while our surplus agriculture was feeding the operatives and the warriors of Europe, and our manufactures derived from the workshops of the eastern world? But no nation has ever been permanently prosperous where the labourers were slaves. When Virginia converts her slave population into a hardy yeomanry, labouring for their own advantage, and

applying the powers of their minds to the improvement of their condition, then, but not before, she may rival N. York and her sister republics. This change in the character of her people, can only be effected in time; but the longer the work is delayed, the further must the state recede from her once prominent station among the states of the Union.

#### LEGISLATION OF SOUTH CAROLINA.

Among the proceedings of the legislature at Columbia (S. C.) during the present session, the following may be taken as a specimen of the predominant feeling in regard to the people of colour.

One of a string of inquiries which a committee of the house was directed to make is, whether Congress can legislate, directly or indirectly, upon the subject of slavery, by promoting the object of *any society which contemplates a melioration of the condition of any portion of the free coloured or slave population of the United States.* The report of the committee on this subject, subsequently given, is—

Resolved, That the American Colonization Society is not an object of national interest, and that Congress has no power, in any way to patronize, or direct appropriations, for the benefit of this or any other society.

*Charleston Courier.*

It is not necessary to inquire whether the *plan* adopted by the Colonization Society is the most eligible that could have been devised, to attain the avowed object of the association—the melioration of the condition of the black population in the United States, and the relief of the white inhabitants from the inconvenience and perils resulting from the increase of a dangerous class. The object of these legislative measures obviously is to discountenance *any attempt to meliorate*

*the condition of this depressed and degraded race. The controversy does not appear to be with the means, but with the end, not of the Colonization Society merely, but of every society that shall presume to extend a sympathetic hand to this class of our population. The negroes must be retained in slavery, because they are too much degraded to be safely trusted with freedom; and their condition must not be improved, lest the way should be paved for their redemption, at some distant day, from their hereditary thralldom.*

The following is another remarkable evidence of determined hostility to negro advancement.

The bill to prohibit the instruction, public and private, of free persons of colour, in reading and writing, underwent discussion at some length, on its second reading, and was, after being amended, sent to the senate. The bill to prohibit the employment of coloured clerks, was also read a second time, and sent to the senate.

What are the provisions of this bill, I have not been able to discover; but admitting that its object is indicated, with any tolerable accuracy, by its title, we must be astonished that such an enactment should be even suggested to a republican legislature. Must the free born inhabitants of this land of boasted liberty, be debarred from the attainment, at their own expense, or by the aid of their friends, of the first elements of knowledge, because they are not entirely as white as ourselves? A law of that state, passed in 1740, prohibits the teaching of *slaves* to write, under a penalty of 428 dollars. But that was before the revolution. The people of South Carolina were then under a royal government.

The light respecting the inalienable rights and the natural equality of man, which was elicited by the revolutionary contest, had not then illumined our legislative halls.

Now, after all the improvements of nearly a century, the same brutalizing ingredients are mingled in the cup of legislation; not for the lips of slaves, but for those who are free. The law of 1740 left the *slave* at liberty to learn, if he could, to read, but now the free coloured person is to be debarred from this privilege. The free negro and mulatto must not read the Bible. If they are pagans, they may be pagans still. This was the state, which, earlier than any other south of New England, manifested a determination to resist the encroachments of the British government. Yet what were those encroachments compared to the measure proposed? The ministers of George the Third never insulted the South Carolinians with the intimation that they were entitled to fewer privileges than the people of England, because they were a little more embrowned with the sun. Suppose the legislature of one of our states to extend such a provision to the Irish, Germans, or any other class, except Africans, and what would be said of it?

#### SLAVE TRADE.

The plenipotentiaries of the powers who signed the treaty of Paris, the 30th of May, 1814, assembled in Congress:—

Having taken into consideration that the traffic known under the name of the *African Slave Trade*, has been regarded by just and enlightened men of all ages, as repugnant to the principles of humanity and of universal morality; that the particular circumstances to which this traffic owes its origin, and the difficulty of abruptly interrupting

its progress, have, to a certain degree, lessened the odium of continuing it; but that at last the public voice in all civilized countries has demanded that it should be suppressed as soon as possible; that since the character and the details of this traffic have been better known, and the evils of every sort which accompanied it completely unveiled, several European governments have resolved to suppress it; and that successively all powers possessing colonies in the different parts of the world have acknowledged either by legislative acts or by treaties and other formal engagements, the obligation and necessity of abolishing it; that by a separate article of the last treaty of Paris, Great Britain and France engaged to unite their efforts at the Congress at Vienna to engage all the powers of Christendom to pronounce the universal and definite abolition of the slave trade: that the plenipotentiaries assembled at this Congress cannot better honour their mission, fulfil their duty, and manifest the principles which guide their august sovereigns, than by labouring to realise this engagement, and by proclaiming in the name of their sovereigns the desire to put an end to a scourge that has so long desolated Africa, degraded Europe, and afflicted humanity.

The said plenipotentiaries have agreed to open their deliberations as to the means of accomplishing so salutary an object by a solemn declaration of the principles which have guided them in this work.

Fully authorised to such an act, by the unanimous adherence of their respective Courts to the principles announced in the said separate article of the treaty of Paris, they in consequence declare in the face of Europe, that, looking upon the universal abolition of the Slave Trade, as a measure particularly worthy of their attention conformably to the spirit of the age and to the general principles of their august sovereigns, they are animated with a sincere desire to concur, by every means in their power, in the most prompt and effectual execution of this measure; and to act in the employment of those means with all the zeal and all the perseverance which so great and good a cause merits.

Too well informed of the sentiments of their sovereigns not to foresee, that, however honourable may be their object, they would not pursue it without a just regard to the interest, the habits, and even the prejudices of their subjects; the said plenipotentiaries at the same time acknowledge that this general declaration should not prejudice the period which each particular power should look upon as the most expedient for the definite abolition of the traffic in slaves. Consequently the determination of the period when this traffic ought universally to cease, will be an object of negotiation between the different powers; it being, however, well understood, that no means proper to ensure and accelerate its progress should be neglected; and that the reciprocal engagements contracted by the present declaration between the sovereigns who have taken part in it, should not be considered as fulfilled until the moment when complete success shall have crowned their united efforts.

In making this Declaration known to Europe, and to all the civilized nations of the earth, the said plenipotentiaries flatter themselves they shall engage all other governments, and particularly those who, in abolishing the traffic in slaves, have already manifested the same sentiments to support them with their suffrage in a cause, of which the final triumph will be one of the greatest monuments of the age which undertook it, and which shall have gloriously carried it into complete effect.

Vienna, Feb. 8, 1815.

*Revolutionary Anecdote.*—The following characteristic anecdote of John Langdon, is given in *Chastellux's Travels*, an edition of which is recently published in this city:—"At the time of Burgoyne's descent into the States from Canada, Mr. Langdon was a member of the Council or Senate of New Hampshire. Going to the Council chamber, he perceived the members about to discuss some affairs of little consequence, and addressed them as follows:—Gentlemen, you may talk as long as you please; but I know that the enemy is on our frontiers, and that I am going to take my pistols and

mount my horse, to combat with my fellow-citizens.' The greatest part of the members followed him, and joined General Gates at Saratoga. As he was marching day and night, reposing himself only in the woods, a negro servant who attended him, said to him, 'Master, you are hurrying yourself; but, no matter, you are going to fight for liberty—I should suffer patiently also, if I had liberty to defend.' 'Don't let that stop you,' replied Colonel Langdon, 'from this moment you are free.' The negro followed him, behaved with courage, and has never quitted him." The publisher of this edition, in his notes at the end of the work, has mentioned the African regiment of Rhode Island, who gained their liberty by defending that of their masters through the Revolution.

*Notices and Anecdotes of the African Lion, by Pringle.*—Two varieties of the lion are found in southern Africa, namely, the yellow and the brown; or (as Dutch colonists oftener term them) the blue or black lion. The dark coloured species is commonly esteemed the strongest and fiercest. I doubt, however, whether there is any real specific distinction, although some lion hunters enumerate no less than four varieties; for the mere difference in size and colour may be either altogether accidental, or the consequence of a variation of food and climate in different districts.

The lions in the Bushmen's country, beyond the limits of the colony, are accounted peculiarly fierce and dangerous. This is undoubtedly owing to their unacquaintance with civilized man, the possessor of the formidable roer or rifle, and still more perhaps to their instinctive awe of mankind having been extinguished by successful rencontres with the poor natives. It is said that when the lion has once tasted human flesh, he thenceforth entirely loses his natural awe of human superiority; and it is asserted, that when he has once succeeded in snatching some unhappy wretch from a Bushman kraal, he never fails to return regularly every night in search of another meal; and often harasses them

so dreadfully, as to force the horde to desert their station.

The prodigious strength of this animal does not appear to have been overrated. It is certain, that he can drag the heaviest ox, with ease, a considerable way; and a horse, heifer, hartebust, or lesser prey, he finds no difficulty in throwing over his shoulder and carrying off to any distance he may find convenient. I have myself witnessed an instance of a very young lion carrying a horse about a mile from the spot where he had killed it; and a more extraordinary case, which occurred in the Sneenburg, had been mentioned to me on good authority, where a lion, having carried off a heifer of two years old, was followed on the track for fully five hours by a party on horseback, and throughout the whole distance the carcass of the heifer was only once or twice discovered to have touched the ground.\* Many examples, not less remarkable, might easily be added, which would fully prove the lion to be by far the strongest and most active animal, in proportion to his size, that is known to exist.

The lion springs from nine to twelve yards at a single leap, and for a brief space, can repeat these bounds with such activity and speed, as to outstrip the swiftest horse in a short space; but he cannot hold out at this rate in a long pursuit, and seldom attempts it. The monarch of the forest is, in fact, merely a gigantic cat, and he must live by using the arts of a cat. He would have but a poor chance with the antelope, were he always magnanimously to begin a roaring whenever a herd approached his lair. He knows his business better, and generally couches among the rank grass or reeds that grow around the pools and fountains, or in the narrow ranges through which

\* Sparrman relates the following among other instances of the lion's strength:—"A lion was once seen at the Cape to take a heifer in his mouth, and though the legs of the latter dragged on the ground, yet he seemed to carry her off with the same ease as a cat does a rat. He likewise leaped over a broad dike with her without the least difficulty."

the larger game descend to drink at the rivers; and in such places one may most commonly find the horns and bones of the animals which have been thus surprised and devoured by him.

Even in such places, it is said, he will generally retreat before the awe-inspiring presence of man; but not precipitately, nor without first calmly surveying his dimensions, and apparently measuring his prowess. He appears to have the impression, that man is not his natural prey; and though he does not always give place to him, he will yet in almost every case abstain from attacking him, if he observes in his deportment neither terror nor hostility. But this instinctive deference is not to be counted upon under other circumstances, nor even under such as are now described, with entire security. If he is hungry, or angry, or if he is watching the game he has killed, or is otherwise perturbed by rage or jealousy, it is no jest to encounter him. If he assumes a hostile aspect, the traveller must elevate his gun and take aim at the animal's forehead, before he comes up close and couches to take his spring; for in that position, though he may possibly give way to firmness and self-possession, he will tolerate no offensive movement, and will anticipate, by an instant and overwhelming bound, any attempt thus to take aim at him. These observations are advanced on the uniform testimony of many of the back country boors and Hottentots, with whom I have often conversed on these subjects.

My friend, Diederik Muller, one of the most intrepid and successful lion hunters in South Africa, mentioned to me the following incident, in illustration of the foregoing remarks. He had been out alone hunting in the wilds, when he came suddenly upon a lion, which, instead of giving way, seemed disposed, from the angry attitude he assumed, to dispute with him the dominion of the desert. Diederik instantly alighted, and confident of his unerring aim, levelled his mighty roer at the forehead of the lion, who was couched in the act to spring, within fifteen paces of him; but at the moment the hunter fired, his horse, whose bridle was round his arm, started back and caused him to miss. The lion

bounded forward, but stopped within a few paces, confronting Diederik, who stood defenceless, his gun discharged, and his horse running off. The man and the beast stood looking each other in the face, for a short space. At length the lion moved backward, as if to go away. Diederik began to load his gun; the lion looked over his shoulder, growled, and returned. Diederik stood still. The lion again moved cautiously off, and the boor proceeded to load and ram down his bullet—the lion again looked back and growled angrily; and this occurred repeatedly until the animal had got off to some distance, when he took fairly to his heels and bounded away.

#### FALLS OF THE GARIEP IN SOUTHERN AFRICA.

I made inquiries respecting a great cataract, which, I had been informed, existed in this vicinity, and soon ascertained that it was not above seven or eight miles down the river. As mid day was scarcely passed, I determined to visit it immediately. I therefore set out with Wittebooy, and five of the Korannas, whom I engaged to accompany us on foot.

As we approached the fall, the sound began to rise upon our ears like distant thunder. It was still, however, a work of some exertion to reach the spot, from which we were divided by a part of the river, and beyond that by a tract of wild woodland, several miles in extent.

The main and middle branch of the Gariep, which forms the cataract, traverses a sort of island, of large extent, covered with rocks and thickets, and environed on all sides by streams of water. Having crossed the southern branch, which at this season is but an inconsiderable stream, we continued to follow the Korannas, for several miles, through the dense acacia forests, while the thundering sound of the cataract increased at every step. At length we reached a ridge of rocks, and found it necessary to dismount, and follow our guides on foot. It seemed as if we were now entering the untrodden vestibule of one of nature's most sublime temples, and the untutored savages, who guided us, evinced, by the awe and circumspection with which they trod,



that they were not altogether uninduced by the genius of the place. They repeatedly requested me to keep behind, and *suivre* them softly; for the precipices were dangerous for the feet of men, and the great and sudden of the cataract were so fearful that they themselves regarded the place with awe, and ventured but seldom to visit it.

At length the whole of them halted, and desired me to do the same. One of them stepped forward to the brink of the precipice, and having looked cautiously over, beckoned to me to advance—I did so, and witnessed a curious and striking scene; but it was not yet the waterfall; it was a rapid formed by almost the whole volume of the river, compressed into a narrow channel of not more than fifty yards in breadth, where it descended at an angle of nearly 45 degrees, and rushing tumultuously through a black and crooked chasm among the rocks, of a frightful depth, escaped in a torrent of foam. My swarthy guides, although this was evidently the first time they had ever led a traveller to view the remarkable scenery of their country, evinced a degree of tact, as well as of natural feeling of the picturesque, that equally pleased and surprised me.

Having forewarned me that this was not yet the waterfall, they pioneered the way for about a mile further along the rocks, some of them keeping near, and continually cautioning me to look to my feet, as a single false step might precipitate me into the raging abyss of waters, the tumult of which seemed to shake even the solid rocks around us. At length we halted as before, and the next moment I was led to a projecting rock, where a scene burst upon me, far surpassing my most sanguine expectations. The whole water of the river, (except what escapes by the subsidiary branches of the river we had crossed, and by a similar one on the north side) being previously confined to a bed of scarcely one hundred feet in breadth, descends at once in a magnificent cascade of fully four hundred feet in height.

I stood upon a cliff nearly level with the top of the fall, and directly in front of it. The beams of the evening sun fell full upon the cascade, and occasioned a most splendid rainbow; while

the vapoury mist arising from the broken waters, the bright green woods which hang from the surrounding cliffs, the astounding roar of the waterfall, and the tremendous boiling and whirling of the stream below, striving to escape along its deep, dark, and narrow path, formed altogether a combination of beauty and grandeur, such as I never before witnessed.

As I gazed on this stupendous scene, I felt as if in a dream. The sublimity of nature, drowned all apprehensions of danger; and after a short pause, I hastily left the spot where I stood, to gain a nearer view from a cliff that more immediately impended over the foaming gulf. I had just reached this station, when I felt myself grasped all at once by four Korannas, who simultaneously seized hold of me by the arms and legs.

My first impression was, that they were going to hurl me over the precipice; but it was a momentary thought, and it wronged the friendly savages. They are themselves a timid race, and they were alarmed lest my temerity should lead me into danger. They hurried me back from the brink, and then explained their motive, and asked my forgiveness. The character of the whole surrounding scenery, full of rocks, caverns, and pathless woods, and the desolate prospect of the Garipe mountains beyond, accorded well with the wild grandeur of the waterfall, and impressed me with feelings never to be effaced.

The river, after pouring itself out in this beautiful cascade, rushes along in a narrow chasm, or canal, of about two miles in length, and nearly five hundred feet in depth, apparently worn in the solid rock, in the course of ages, by the force of the current.

In the summer season, when the river is in flood, the fall must be infinitely more magnificent; but it is probably at that season altogether inaccessible; for it is evident, that the mass of waters unable to escape by this passage, then pour themselves out, in mighty streams, by the two subsidiary channels, which were now almost dry, and at the same time overflow nearly the entire tract of forest land between them, which forms, at other seasons, a sort of island, as we now found it.

THE

# African Observer.

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SECOND MONTH, 1828.

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## NEGRO SLAVERY.

*Continued from page 296.*

In our examination of the right by which the children, born in our country, of African slaves, are retained in slavery, two points naturally present for consideration.

1. The rights of persons. 2. The rights of property.

The rights of persons are evidently first, both in regard to importance and in order of time. The nature and foundation of these rights can hardly be expressed in more concise and appropriate terms, than in the celebrated declaration of independence. "We hold these truths to be self-evident: that all men are created equal; that they are endowed, by their Creator, with certain unalienable rights: that among these, are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just power from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter, or

Vol. I.—41

abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness." Natural liberty, the gift of the Creator, is not therefore to be restrained by human authority, any further than the security and happiness of society shall require. As governments originated in the vices of mankind, their use is to restrain those vicious propensities, and neutralize the passions by which the peace of society is disturbed. If any portion of the human family had been endowed by their Creator with a complete exemption from human infirmity, so as to be inaccessible to error or to crime, this portion might have been considered as clothed with a natural right to govern the rest, while they were themselves exempted from the control of government. But as we are unable to select from the mass of the community, such a privileged class, the wisdom of nations has

been employed in so adjusting the balance of power, that the interests and passions of men, like the antagonist muscles in the animal system, may counterbalance each other. Governments deriving their just powers from the consent of the governed, can possess no other rights than those which are composed of the individual rights that have been surrendered for the sake of security, and the peaceable enjoyment of the rest. In the formation of society no natural rights would be surrendered, unless with the view of increasing, in a corresponding degree, the value of those which are reserved. To render governments a blessing, the members of civil society must possess rights superior to those which were held in a state of nature. Therefore the rights of individuals can be justly curtailed only upon principles common to the whole community, for men are created equal; and with a view to promote the general happiness, for the promotion of general happiness is the legitimate object of government. If, therefore, any portion of the community have fewer natural rights than others, the difference must be owing to the forfeiture of a part of those rights. Personal liberty being the gift of the Creator, remains in the original possessor, till justly forfeited, upon general principles, and for the general good: and till thus forfeited, no right, incompatible with this, can vest in another.

When, therefore, any person is claimed as a slave, we might, upon general and evident principles, resist the claim, by denying that the person in question had forfeited his freedom, and demanding the proof. We are not bound to prove his freedom, for that is a natural right. Neither are we bound

to prove that his liberty has never been forfeited; for that would be to prove a negative. The burden of proof must fall upon the claimant. The proof on one side is clear and conclusive, being furnished by nature herself. The human form and character are incontrovertible evidence of freedom, until the forfeiture of that freedom is proved. That forfeiture must be evident, and deduced from the firmest principles of the social compact. No arbitrary and constructive forfeiture can counterpoise the overwhelming testimony of nature.

If we next inquire what is the foundation of the right of property, it will probably be found substantially the same as the foundation of our personal rights. Man owes his rights, as well as himself, to divine benefaction. It will probably be difficult to find a more solid foundation for the right of property, than the gift to Noah and his sons immediately after the flood. This ample donation, including the whole habitable globe, with the various tenants of its fields and floods, was conferred, without partiality, upon the fathers of our race. The world was open before them, to be occupied and improved as convenience or fancy might suggest. No right could then be less disputable than that which every man must be supposed to have asserted to the produce of his own labour or ingenuity. The fruit which he had collected, the beasts which he had taken, or the fish that he had caught, must have been exclusively his own. When he erected a shed to cover him from the storm, he could not, without a breach of the moral law, be dispossessed, unless with his own consent. The rights of personal property were thus the immediate growth of personal rights.

When any portion of land, not pre-

viously occupied, was taken possession of, a temporary right was derived by simple occupancy; for the occupant could not be dispossessed without an act of violence. When a man had cleared and sown a field, he was unquestionably entitled to the produce; but this could be secured only by the exclusive possession of the field, till the fruit was gathered. As long as mankind retained the hunting or the pastoral state, and a sufficient extent of country was before them to supply their simple demands, it is probable that few claims were set up to an exclusive right in the soil. The history of the patriarchal ages, as well as the nature of the case, supports the belief, that the immediate products of ingenuity and labour were held as the property of their producers, long before an exclusive right to the permanent possession of any particular portions of the earth was established. As the population thickened, and attention to agriculture increased, the labour bestowed upon the various improvements, which this state of things required, and which were fixed to the spot, soon became too great to be willingly endured, without a prospect of permanent advantage. A house would hardly be built, or a well dug, to be hastily abandoned, without compensation, to a succeeding occupant. Experience would demonstrate, that the wants of a dense population could not be supplied, without allowing to the cultivators of the soil, a permanent and exclusive property in the land. The right of property in land is, therefore, partly an artificial right, the creature of society; and partly a natural right, as being blended inseparably with the labour, or rather the products of the labour, by which it is improved.

The right of property, either real or personal, is therefore secondary and subordinate to personal rights. If the latter were annihilated, the former could not possibly exist. To suppose a right of property in one human being, which should absorb and annihilate the personal rights of another, is to suppose an effect destructive of its cause; to suppose the major merged in the minor. If the rights of property are sacred, the rights of persons, from which they spring, must be more so: *Propter quod unumquodque est tale, illud ipsum est magis tale.\**

Our rights, whether personal or those of property, being the gift of the Creator, and governments being instituted to secure those rights, it follows as a necessary consequence, that the justice of any laws which governments may frame, depends upon their conformity to the will of their Creator. That will is inferred, from the works of creation, and the general sense of mankind, to be highly benevolent; hence laws, incompatible with this character, are universally acknowledged to be *unjust*. And it is generally admitted that no legislature has a right to enact an unjust law. "The will of the Maker," says judge Blackstone, "is called the law of nature. This law of nature being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, in all countries and at all times; no human laws are of any validity if contrary to this; and such as are valid, derive all their force and all their authority; mediately or immediately, from this original."†

\* That for which a thing is such, is itself more such.

† Com. Introd. 40.

Laws, therefore, incompatible with general benevolence, and destructive of individual and general happiness, being radically unjust, are destitute of the essential foundation of law, and consequently can vest no right. Those who suffer by the operation of unjust laws, may be bound to submit, for the sake of the peace of society, yet this obligation does not change or diminish the injustice. We might therefore decide, without further inquiry, that the holding of a portion of the human family in perpetual and hereditary slavery, was unlawful; because the practice is inconsistent with that universal benevolence, which the general sense of mankind ascribes to the Creator; because it encroaches upon those personal rights with which all men are endowed by the same beneficent hand; because it is destructive of the happiness and morality which it is the design of governments to secure and promote; and more than all, because slavery unavoidably degrades its victims below the proper level of humanity, and prevents the due expansion of the faculties bestowed upon man, and the performance of the social and relative duties attached to our state. We might safely conclude that a right of a secondary nature, capable of annihilating others of a primary order, cannot possibly exist; and that, however such imaginary rights may be entrenched in legislative enactments, the laws, by which they are supported, must be radically defective.

This is the conclusion to which we should unquestionably arrive, if we could examine the question from distant and neutral ground. If the system of hereditary slavery could be contemplated, not as an existing, but an intended institution, the rights of

ownership would be considered as totally destitute of rational foundation. And I would seriously inquire whether this is not the ground that we ought to assume, if we desire to form a judgment clear of the influence of local habits, prejudices, and interests? I shall however give the subject a more distinct examination.

The right by which the great mass of slaves, now in the United States, are held, is founded on the slavery of their mothers. Those mothers were held either justly or unjustly. Could a right to enslave the offspring result from either? At whatever point we begin our inquiry, it is important to remember that negroes are human beings, possessing, in a state of nature, the same rights as ourselves; and that their liberty must, in some way, have been forfeited, before they can become a subject of property. If the freedom of the mothers has not been justly forfeited, the circumstance of their slavery proves nothing as to the right.\* If

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\* Grotius observes: "If the cause of the war be unjust, though it be undertaken in a solemn manner, yet all the acts of hostility done in it are unjust in themselves. Therefore God himself declares their facts to be unacceptable to him who detained their captives unjustly taken. The king of Nineve, proclaiming a fast to his subjects, commands them to restore what they had taken by rapine; acknowledging, by the guide of natural reason, that all repentance without such a restitution would be but pretended, and to no purpose. And not only the Jews and Christians are of this opinion, but even the Mahometans themselves.—The Samnites in Livy say, 'We have restored the plundered goods of our enemies, which by the law of arms seemed to be ours: *seemed* only, he saith, because the war was unjust, as the Samnites had before acknowledged.'

the imported slaves have not forfeited their natural rights, holding them in slavery is an obvious violation of the laws of nature and of nations, and therefore a right to hold their offspring in slavery cannot be derived from that polluted source. The first link being broken, the chain is destroyed. Can every part depend and not the whole? But it was shown, I trust, conclusively, in the preceding number, that no right to the persons of the imported slaves, is vested in the importers, and consequently none was transferred, or could possibly be transferred, to the purchasers. We are therefore driven to the conclusion, that all the rights

“But further, though a man has not done the damage himself, or if he did it without any fault of his, but keeps in his possession a thing taken away by another in an unjust war, he is obliged to restore it; because there can be no reason produced naturally just, why the other should be deprived of it. Not unlike this is that of Valerius Maximus. The people of Rome, saith he, when P. Claudius publicly sold some Camerine prisoners taken in the war, when he was general, though they found their treasury filled with the money, and the borders of the empire enlarged, yet because they were not fully convinced of the justice of that expedition, they with the utmost diligence having sought out the prisoners, redeemed them, and restored them their lands. Thus, by the decree of the Romans, even their public liberty was restored to the Phocians, and also their lands, which had been taken from them. And afterwards the Ligurians, who had been sold by M. Pompilius, (their ransom being paid to the purchasers,) were restored to their liberty, and their goods carefully returned. The senate declared the same in favour of the Abderites, adding this reason for it, because the war made upon them was unjust.” Rights of War and Peace, book iii. chap. 10.

derived from this originally defective claim, are themselves defective.

I may perhaps be here met by the declaration, that in whatever light the African slave trade is now viewed, and whatever principles of legislation our cotemporaries may have adopted respecting it, the ancestors of a large part of the present generation of slaves were imported under the sanction of law. The trade was formerly adjudged both lawful and expedient, and the slaves then imported, were considered as merchantable property, held and protected as such by the authority of governments. Hence an inference may probably be drawn that the rights thence derived must be considered as lawful. This argument unquestionably has its force, when two parties only are considered. In a question between the government and the purchasers of imported slaves, or the heirs and representatives of purchasers, this implied guarantee ought not to be overlooked. But the question under consideration involves the interests and personal rights of a third party, who were the objects, not the agents, of this implied agreement. And let it not be forgotten, that the whole force of the argument depends upon the neglect or denial of the rights of this party. We tacitly suppose a right vested in the government, which was originally vested in each individual, and has not been proved to be forfeited; and by this assumption, endeavour to establish a right in the grantee, which the grantor has not been proved to possess. This is neither more nor less than begging the question. When the great northern powers of Europe formed a treaty for the division of Poland, the provisions of the treaty, however binding upon those who made it, could impose no obliga-

tion upon the Poles themselves. Neither could any agreement, express or implied, between the government and the purchasers of slaves, affect the rights of the slaves. Before we can derive from the sanction given by government to the African slave trade, a valid argument for the continuance of slavery in the persons or posterity of the slaves thus imported, we must prove that the governments which sanctioned the trade, possessed a right to dispose of the freedom, present and prospective, of the African natives whom war or pillage had placed in their hands. Governments have no more authority than individuals to dispose of rights which do not belong to them. The maxim of the common and civil law is clearly applicable to this case. *Nemo plus juris in alium transferre potest quam ipse habet.* [No man can transfer to another any rights but those which he possesses himself.] If the slave trader is a pirate (an enemy to the human race) in the nineteenth century, the same traffic could not be justly deemed a lawful and honourable commerce at any antecedent period. The nature of the traffic is not changed, however its legal character may be affected, by the modern declarations respecting it.

But even supposing, for argument's sake, that the British government, (for under that government the principal slave importations took place,) possessed ample authority to declare the ill-fated natives of Africa merchantable property, and that all those who were imported and sold in the western world had justly forfeited their personal freedom; a question is still to be settled, how this forfeiture can be extended to a second, and every subsequent generation.

The Africans, supposing their slavery entirely just, do not cease on that account to be human beings; their children are human beings, guiltless of their parents' crimes, and therefore entitled to the rights of humanity, until those rights have been forfeited; and it is difficult to perceive how that can be done unless by themselves. Entrench the question of property in the forms of law as we will, still it is not to be forgotten, that personal freedom is a primary and original right, and that the right of property is secondary and derivative. Personal liberty is the gift of the Creator; the rights of inheritance are the creatures of society. It is needless to inquire how or where the right of ownership is vested, until we have ascertained that it has passed away from the man himself, the natural and original occupant.

If the freedom of the children, born in our country, of female slaves, has been forfeited at all, it must have been done in one of two ways. By the mysterious operation of corruption of blood; or by coming into the world destitute of natural guardians; the servile condition of the mothers depriving them of the power to protect and sustain the progeny.

The law of corruption of blood, the barbarous growth of Norman rapacity, was introduced into England at the conquest,\* for it was unknown to our Saxon ancestors.† A person convicted of treason, or other felony, was, after judgment had been pronounced upon him, considered dead in law. The original compact with the government was supposed to be dissolved by the crime, and the estate of the convict

\* Blackstone's Com. vol. ii. p. 255.

† Ibid. vol. iv. p. 413.

either forfeited to the king, or escheated to the lord of the fee. The consequence was, that the blood was rendered corrupt, or incapable of receiving or transmitting any inheritance. The children of a man who was attainted, could not *inherit* the estate of their ancestor. This law has been justly considered as one of great hardship, and numerous acts of parliament, within the last three hundred years, have very much limited its operation. Yet we must observe, that even corruption of blood extends only to a capacity of inheriting property, and does not in the smallest degree encroach upon personal rights. The descendants of the attainted person may acquire, by their own industry, whatever another may acquire. The family, in regard to inheritance, must begin anew, but no barrier to the future acquisition of wealth is caused by the paternal attainer.

Supposing then the imported slaves to be all attainted criminals, or to have been placed, by some incomprehensible process, upon the same level with attainted criminals, whose blood was corrupted, still, even by the barbarous policy of the Anglo-Norman government, that corruption could not impair the personal rights of their descendants.\*

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\* Lord Chancellor Yorke, in an elaborate defence of the English law of forfeiture, observes, These benefits [wealth and honours derived by inheritance from the ancestor] may be considered as the gifts of civil government; but life and *liberty* are the gifts of nature, and should never be taken away because of the parent's offence; nor should a subject be made incapable of employments, without some crime committed by himself. Such severities are unwise as well as inequitable. Page 14.

But could corruption of blood affect the freedom of the posterity of the person attainted, in the mother country, it could hardly be admitted to do it here. Treason against the government is generally considered as one of the highest crimes, demanding the most exemplary punishment;† and yet, in the United States, no attainer, even of treason itself, is allowed to work corruption of blood, or forfeiture, except during the life of the person attainted.‡ Bills of attainder and corruption of blood, are denounced in the Federalist, as totally inconsistent with civilised legislation.

Could we admit that the freedom of the children was justly forfeited by the crimes or misfortunes of the parents, still an important question remains. To whom are they forfeited? It may be supposed a matter of small importance, if the liberty is lost, into whose hands the forfeited right may fall. It will, however, appear, upon examination, no trivial affair. In England, confiscated property vests in the crown, not merely because the king is supposed to be the fountain of justice and honours, but because he is also deemed the dispenser of mercy, the softener of the rigid features of justice. Hence a power remains, by which the forfeited possessions may be restored to the original occupant, or to his family. In the United States, the power of remitting fines and forfeitures is generally entrusted to the executive, with a view, undoubtedly, that

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† Treason, says Lord Hale, being the greatest crime against faith and duty, is deservedly branded with the highest ignominy, and subjected to the highest penalties which the law can inflict.

‡ Constitution U. States, Art. 3. Sect. 3.



this power should be exercised in cases where the sentence of law is likely to operate with improper or needless severity. If the children of slaves could be viewed either as forfeited *property*, or as *persons* whose liberty is forfeited, why not apply to them the usual maxims of forfeiture, and vest in the executive the power of remission? It would have been a happy thing for the coloured race, and no less so for the white population, if the descendants of slaves born in our country had been considered in no more degraded light, than as persons whose liberty was forfeited and vested in the state. Unjust in regard to these people as such a mode of disposing of their inherent rights would evidently be, still essential advantages would necessarily accrue from it. Their condition would be changed from a personal to a political thralldom. The government, from the necessity of the case, would grant them numerous rights, of which they are now deprived. They would, probably, before this time, have been nearly transformed into copyhold tenants, and have possessed most of the privileges which are essential to happiness and ease.

Children may be supposed to lose their natural right to freedom from the slavery of their mothers, and the consequent incapacity of the latter to provide for them. This is the misfortune, not the fault, of the children. Adventitious rights may be lost by fortuitous events; natural rights can be forfeited only by crimes. But we must observe, that if the mothers have not justly forfeited their freedom, the incapacity to provide for their offspring, resulting from their detention in servitude, is chargeable upon those by whom they are unjustly detained, and cannot

possibly affect the rights of the children. If the mothers are prevented from performing their natural duty to their children, those who cause the disability are bound themselves to perform it. It is further observable, that even this plea does not obtain, unless the fathers are also slaves; for children, whose mothers are slaves, may be, and sometimes are, maintained at the expense of their fathers.

Waiving, however, all considerations of injustice to the parents, it is obvious that the rights which can be acquired, in the persons of the children, in consequence of the inability of the parents to provide for them, can be, at most, nothing more than a parental authority. The supposition of a right to perpetual and hereditary service, derived from such a source, if applied to any other class of children, would be deemed unworthy of sober discussion. Who would listen to the inquiry, whether destitute orphans could be justly seized and consigned to hereditary slavery? or whether infants, who were abandoned by their unknown and unnatural parents, were the slaves of those who happened to find and were willing to support them?

When children are abandoned, either willingly or from inability, by their natural protectors, those who assume the responsibilities, and perform the duties of parents, may be reasonably allowed the rights which necessarily result from the natural or assumed relation. What then are those rights?

"The rights of parents result from their duties. As they are bound to maintain and educate their children, the law has given them a right to such authority; and in the support of that authority, a right to the exercise of such discipline, as may be requisite for

the discharge of their sacred trust. This is the true foundation of parental power.\* "This relation confers no property in their persons, or natural dominion over them."† The atrocious extent of parental authority allowed by the laws, or rather the maxims, of the Persians, Egyptians, Greeks, Gauls and Romans, has been long since narrowed down by the more refined manners and cultivated morals of modern times. And it is worthy of remark, that a probable reason why parental authority continued so long unrestrained, may be found in the universal prevalence of parental affection. The Roman laws were long destitute of any provision to punish children for murdering their parents, not because the crime was designed to be tolerated, but because it was supposed so unnatural a crime would never be committed. If the *sorgé*, in the second degree, could be relied upon for the prevention of murder, it is not surprising that its operation in the first should be deemed an adequate protection; and it could hardly occur to a legislator to provide against abuses which were so completely guarded by a principle implanted even in brutes. This principle, which supplies so powerful a restraint upon the abuses of parental authority, cannot be depended upon in the case before us. The substituted guardianship, which the slavery of the parents may be supposed to place in the hands of the master, would evidently demand a limitation rather than enlargement of parental power. But the authority of parents is now admitted to cease, when the child attains

the age of maturity; an age which has been variously fixed, but seems to be finally limited to twenty-one years. The right of the substituted guardian must therefore cease at the same, if not an earlier period.\*

From this review of the subject, it appears that the rights of ownership in the persons of slaves, though confidently asserted, are totally inconsistent with the acknowledged maxims and principles of justice and law. Indeed, the whole system of negro slavery is the growth of barbarism, founded on violence and wrong; and capable of defence only upon maxims which have been derived from itself, or from some other system, equally at variance with the common sense of mankind.

Every system which has been interwoven with the legislation of the country, and the habits of the people, ought unquestionably to be approached with care. Rash attempts to correct an acknowledged evil, may sometimes irritate, instead of allaying, the disease. Yet still it is important that the distinction between right and wrong should be preserved; and that while we are pleasing ourselves with the excellence of our government, and the justice of our laws, we should remember the blots on our national escutcheon; and that these are more conspicuous and offensive from the

\* Commentaries on American Law, by Chancellor Kent, vol. ii. p. 169.

† Paley's Moral and Political Philosophy, p. 245.

\* The reason for settling the age of maturity at twenty-one years, I understand to be this. A boy is considered an expense to his parents during the first seven years; to be able, during the next seven, to compensate by his labour the charge of his support; and during the third, to refund the disbursements of the first. A girl arriving sooner at maturity, six years of the early period of life in a female are assumed as corresponding to seven in the other sex.

brilliancy that surrounds them. Nor is this the worst: the principles which we have so loudly proclaimed in the face of the world, must, if we disregard them in practice, eventually rise up in judgment against us. This important truth is not limited to the awful concerns of the world to come, but is applicable in a political and national sense. The negro is not deaf to our plaudits of liberty; and however we may endeavour to drown the echo, it must eventually return with astounding force. The spirit of freedom, like the eagle that has flown, has risen too high to be again confined to the cage of despotism. Evils, moral and political, however familiarized by habit, will produce their legitimate effect. The eternal laws of justice cannot be infringed with impunity. Justice cannot slumber for ever. O my country, the nursery of every virtue, the asylum of the oppressed, the envy and terror of the oppressor, may the auspicious day hastily come, when the liberality of thy institutions, and the unsullied justice of thy laws, shall command the plaudits of the world; when the rights of the master and slave shall be poised in equal scales; and the banner of liberty that floats on thy capital, become like the serpent in the desert, upon which every one who is stung by oppression, may look and be healed.

#### LORD STOWEL'S JUDGMENT.

The judgment delivered by Lord Stowel, in *Re Grace*, a negro slave, has attracted so much of the attention of persons interested in the great slave question, that we cannot let it pass without further comment. No judge of our times, with, perhaps, the exception of Sir William Grant, has gained for his decisions any thing like

the same degree of admiration and regard. Something is perhaps attributable to the law (the civil) which it was his fortune to administer; but the beautiful simplicity, the lucid arrangement, the copious and elegant diction, the correct and logical, yet popular, strain of reasoning to be found in Lord Stowel's judgments, combined with the fruits of great erudition, bespeak a mind of the highest order, cultivated with the most assiduous care. How much shall we lament that the expiring energies of such a mind should, as in this instance, be rallied against the holiest cause and the clearest interests of humanity and justice! The case came before Lord Stowel as judge of the admiralty court, upon an appeal from the vice-admiralty court of Antigua. A female negro, named Grace, had passed from that island to England with her mistress, and returned thither without certain formalities of registration and certificates prescribed by the 47th and 59th of the late king, on the entrance into any of the colonies of a slave. A breach of these regulations involves a forfeiture of the owner's property in the slave to the king; accordingly, in the case of Grace, a process was instituted in the colonial court, by an officer who has an interest in the forfeiture. The colonial court held, that the claim made on the part of the crown was invalid; the regulations referred to not applying to the case of a slave coming into the colony from England, but intended exclusively to affect the transit of slaves from one colony to another. This decision was affirmed by Lord Stowel: with it we have no concern: but a question being raised in the course of the pleadings on the effect of a colonial slave's coming to England, and the nature and extent of the emancipation thereby occasioned; and on the efficacy of such emancipation in the event of the slave's return to a colony, wherein slavery is recognized by law, his lordship devotes himself with great earnestness to the discussion: and it is that part of the judgment which seems to demand our consideration. His lordship states and combats the position, that a slave's arrival in England works such an emancipation, as in the event of his return to the colony enures to make him free

there. He holds (in reluctant submission to the decided cases) during the slave's residence in England, the owner's right is suspended, but he contends that it is not extinguished; that the law does not abolish the right of property; but is merely passive, withholding all aid for its assertion, and that on the slave's return to the colony, the right revives, and is of the same validity as if the slave had never been in England.

The manner in which Lord Stowel attempts to make out this doctrine, is, perhaps, more liable to animadversion than the doctrine itself. He begins by noticing the celebrated case of the negro, *Summerset*; who, in the year 1771, having refused to accompany his master to Jamaica, and having been seized and put into irons on board a ship in the Thames, in order to be carried thither by force, was brought before the king's bench, upon a *habeas corpus*, and discharged. There can be no question, from the whole tenor and spirit of Lord Stowel's argument, that he disapproves of this decision, which was received, at the time, with the applause of the whole nation, and has been ever since referred to by all the law authorities, without exception, as deserving of all acceptance and regard. Lord Stowel speaks of it, however, as made in contravention of all preceding authorities, in subversion of rights, sanctioned by uninterrupted usage, and as amounting to a revolution of sentiment and opinion of the most sudden and extraordinary nature; and which can be only paralleled by one of the most celebrated convulsions in the annals of nations.

"Ad primum nuntium cladis Pompiani  
populus

Romanus repente fit alius."

Against Lord Mansfield particularly, who was then chief justice, he charges this unjustifiable innovation, saying that the puisne judges acquiesced in silence—a very unfair representation of their share in the judgment, be it good or evil, as Lord Stowel can scarcely fail to know; since it was in cases only where the judges differed either as to the judgment to be given, or the reasons for such judgment, that they were formerly used to deliver their

opinions *seriatim*. Nay, in his judgment, Lord Mansfield expressly says, that he and the other judges "are so well agreed that they see no necessity for having the case argued, as was at first intended, before the twelve judges." The decision in the case of *Summerset* was not, however, altogether so rash and unwarranted by previous authorities, as in the outset of his argument it is stated by Lord Stowel to have been; in the sequel, indeed, he himself mentions the case of *Shanly vs. Harvey*, decided by Lord Northington, about two years before, in which the right of the owner of a slave to all property of the slave's acquisition (a right inseparably connected with slavery, by virtue of the maxim "*quicquid acquiritur servo, acquiritur Domino*") was disallowed, with the emphatic declaration, so often since repeated, that "as soon as a man puts his foot on English ground he is free." Of this declaration Lord Stowel remarks—with what propriety we shall presently see—"that it is probably the first time that this doctrine was so broadly stated in an English court, and perhaps a little prematurely." But if Lord Stowel's zeal prevented his noticing in the proper place this previous decision, surely less learning than his might have supplied an acquaintance with the earlier and very remarkable case of *Smith v. Brown and Cooper*, in 2 Salkfield, 666, where Lord Chief Justice Holt, with the concurrence of his brethren, laid it down that "*as soon as a negro comes into England he is free*." Other antecedent cases, not quite so clear or decisive in their effect, but yet affording a strong presumption in favour of the same doctrine, are collected and stated in the admirable argument of the truly learned Mr. Hargreave, in behalf of the negro *Summerset*; and upon a review of the whole, it is difficult to imagine how Lord Stowel could feel himself warranted in denouncing Lord Mansfield's decision in terms so strong, being only able to cite in opposition to it the opinion of Lord Hardwicke and Lord Talbot. It is also to be observed, that Lord Mansfield's decision, supported as it was by his brethren, and bottomed on the earlier decisions of persons so eminent as Lord Chief Justice Holt, and Lord Northington (to

say nothing of the aid it might have derived by inference from the early cases referred to,) has been since approved and adopted in all the cases subsequently cited for a different object in Lord Stowel's own judgment; and that by some of the judges, as, for example, the present Chief Justice Best, with a warmth of admiration which contrasts powerfully with the cold indifference betrayed by Lord Stowel, as to the great interests of humanity involved in the question. Lord Stowel was, however, very materially concerned to cast discredit on this famous judgment, because, in his apprehension, (he says) the determination of the ulterior question very materially depends on the construction to be put on that judgment, and the limitations and reservations with which it is to be received. *Summerset's* case is, indeed, in every point of view, of the most important nature; for unless the decision in that case, and the subsequent cases founded upon it, be good law, there is no reason whatever why negro slavery might not be introduced into England. Lord Stowel, therefore, states, in terms as narrow as possible, the precise point before the court in that case, and on which alone it was called upon to pronounce a decree; not, however, allowing the decision, even *quoad* such point, to pass without reflection, and rejecting all that fell from Lord Mansfield, on the general doctrine of the toleration or recognition of slavery as extrajudicial. How much this must be the object of those who are inclined to espouse the side advocated by Lord Stowel, the following memorable words uttered by Lord Mansfield, in delivering judgment, may serve to evince:—"The state of slavery is of such a nature, that it is incapable of being introduced on any reasons, moral or political, but only by positive law, which preserves its force long after the reasons, occasion, and time itself, from whence it was created, are erased from memory. It is so odious, that nothing can be suffered to support it but positive law. Whatever inconveniences, therefore, may follow from the decision, I cannot say this case is allowed or approved by the law of England, and therefore the black must be discharged."

To the position in these terms advanced, that slavery is incompatible with the spirit of British law, Lord Stowel replies by referring to the existence of villenage. But the position must be understood with reference to the spirit of our laws, since the present system of liberty in these countries was formed and established. No man, when he asserts that any act or doctrine is at variance with the spirit of our laws or constitution, can be supposed to challenge a comparison with the barbarous usages of remote ages: and it is confessed by Sir Thomas Smith, who wrote in the reign of Edward VI., that even then villenage had fallen into desuetude. But, as was ingeniously remarked by Mr. Hargreave, "the memory of slavery expired now furnishes one of the chief obstacles to the introduction of slavery attempted to be revived." And accordingly Lord Stowel finds himself under the necessity of grappling with the well known maxim of ancient villenage—"once free for an hour, free for ever"—which has been properly insisted upon as entitling the slave once emancipated by touching the British shores, to enjoy his freedom wheresoever British law prevails. This maxim was so much favoured, and so extensive in its effect, that the slightest act which could, by inference or implication, show that the lord had for a moment, treated his vassal as a freeman, by forming with him, for example, the most trivial contract, was construed into a complete and solemn manumission. The advocates of liberty say, if slavery be at all known to the laws of England, it is only in the form of villenage, and must be bound by and subject to the same rules. Lord Stowel himself admits that, "if negro slavery was an exact transcript of ancient villenage, it might not be improperly so contended." He does not, however, specify any of the characteristics by which they are distinguished, with this exception, that the vassal was a native, and the negro is a foreigner; whereas, in all the essential particulars of their condition, there is not the smallest difference between a vassal *in gross* and a negro slave. That there was another species of vassal (regardant) does not affect the argu-

ment, since the villein in gross was entitled no less than the villein regardant to the benefit of the maxim above cited, in all its latitude of construction and implication.

His lordship also argues, that negro slavery cannot be pronounced irreconcilable with the spirit of British law, since the legislature has actually interfered for the purpose of regulating such slavery; and since the court of chancery and privy council are in the constant practice of entertaining suits, and carrying into effect contracts, the subject-matter of which is property in slaves. It certainly must be admitted, that England does recognize slavery in her colonies; that her courts of law do take notice of the local laws allowing of such property. But the question is, whether, in a case unprovided for by the *lex loci*, (as is the case of the return of a negro after having been emancipated by a residence in England,) an English judge shall not, when on appeal such case comes before him, be governed by the principles of British law. The colonial law, says Lord Stowel, knows no such species of emancipation as is pretended; it has its own solemn forms of manumission, and knows of none by implication. But unless Lord Stowel sit (which we do not apprehend to be the case) as a mere colonial judge, administering the *lex loci*, he knows of such a species of emancipation, and, we should insist, is bound to give effect thereto. If there should be any conflict between the colonial law and that of the supreme country, there can be no doubt which ought to prevail.

As to the cases enumerated in the concluding part of his judgment, and which Lord Stowel himself does not rely upon as direct authorities, it is only necessary to remark, that the question at issue now was not then raised; and that little is to be inferred from the tacit acknowledgment of the judges.

There is one view of the question which we do not know to have been taken by the counsel in that case, but which appears to be deserving of some attention. We should contend, that by the slave's residence in England, and consequent emancipation, he is remitted to his original state of freedom; and that his master's right of

property in him is wholly extinguished. Now, if he had regained his native Africa, could his owner follow there, recapture, and import him again into a colony? We apprehend that the statutes abolishing the slave trade would prevent the master's making such an attempt. But the negro is as free in England as he could be in Africa. By what right then can the master reclaim him on his entrance into the colony from England? He is to all intents and purposes a *new slave*—a fresh importation, in direct contravention of the statutes; for they make it immaterial whence the slave comes or is brought. Or let us suppose that a negro, of his own accord, never having been captured or enslaved, should visit one of the colonies, would his person be *vacans possessio*, which any white might seize and appropriate to his own use, and if not, why should the emancipated negro be in a worse situation?

We did not imagine that the return to the colonies of persons originally slaves, but emancipated by a residence here, and having here acquired property, was an event of common occurrence; but we find that it is by Lord Stowel's reference to statements made in the course of argument by Doctor Lushington. In observing upon these statements, his Lordship yields a scanty tribute to humanity, letting fall some few expressions in commiseration of the lot of those who are so unfortunate. They are almost the only words to be found in a very long judgment, which betray the smallest sympathy in his mind with those feelings of abhorrence and detestation towards this vile institution, which have been entertained for more than a quarter of a century by the people of this country, and in which every judge who has had occasion to speak of it, with the exception of Lord Stowel, has expressed his cordial participation.

London paper.

#### SLAVERY IN VIRGINIA.

In the county of Goochland, a negro man during the last summer ran away from his owner, and made good his escape to Pennsylvania. He remained there some four months, when having made a fair experiment, and finding

liberty among strangers attended by the necessity of equal labour, and the responsibility of independence, and not the golden life he had dreamed, he spontaneously returned to Virginia and to slavery. He is one out of a hundred for shrewdness, and this last act, in our opinion, is not the least proof of it; for to those educated as slaves, and marked by nature, if not for that end, yet with colours that establish an eternal barrier between them and the whites, liberty among the latter—a liberty attended with all the inconveniences and responsibilities of free agency, without *any* of its benefits—is but a shadow, and not to be put in competition with the substantial comforts of the Virginia slave, and the exemption from care which is concomitant of all slavery. This case, though an isolated one, is, we believe, a fair illustration of the mild and benevolent character of Virginia slavery in general—and though we profess, and really feel, the most ardent solicitude that the day may come when the soil of Virginia shall no longer be dug by slaves, and her character no longer be obnoxious to the reproach of holding human beings in bondage, yet that solicitude is created by our love and respect for our native state, and not by the expectation of ameliorating the condition of her slaves. Some little observation, and much inquiry, have long ago satisfied us that the slaves of Virginia enjoy more solid comfort, and are exposed to fewer hardships, than the labouring class of any portion of the Christian world. To exchange their condition for freedom, to be enjoyed either in the United States, in Africa, or the West Indies, would be subtracting materially from the sum total of human happiness. It is the condition of their masters, weighed down and impoverished by the nature of negro slavery, and of Virginia, blighted and held back in the glorious race of improvement and power, by the same cause, that impels us to pray for its final extinction, and enlists our sympathies in behalf of colonization schemes.

*Richmond Whig.*

This narrative would have been more interesting, if not more instruc-

tive, if the circumstances of this *sagacious* slave had been stated a little more minutely. Perhaps he was a favourite personal attendant on some humane and wealthy master. Possibly a wife and family were left behind, and that his domestic attachments were more than an equipoise to the desire of freedom. A thousand circumstances may have conduced to render the life of this *isolated* individual more comfortable in the state to which he was habituated, than in the new and untried life of an independent and responsible freeman. It is no new thing for persons who have been bent to the servile yoke, to find a new gained freedom, after a short acquaintance with its cares and perplexities, a faded jewel. Present evil is often felt as a greater burden than that which is past, however unequal when fairly balanced. The chosen band, whom Moses led out of thralldom, were frequently reproaching him for the kindness he had done them. Habit had lightened the burden of slavery, while the evils of liberty were rendered more poignant from being new and unexpected. Yet who would say that their condition was not improved by the change?

There are, unquestionably, both in Virginia and the other slave-burdened states, many humane and conscientious masters, who render the lives of their slaves as comfortable as their condition allows; but to assume the case before us as "an illustration of the mild and benevolent character of Virginia slavery in general," appears to be *generalizing quite too hastily*. How often do we hear of slaves eloping from this land of mild and benevolent slavery, to the free states, to encounter "all the inconveniences and responsibilities of free agency," and manifest the

greatest horror at the thought of being again reduced to the very enviable "exemption from care which is the concomitant of all slavery." If the opinions of the slaves themselves are to be assumed as the standard by which we are to estimate the comparative happiness of freedom and slavery, the decision need not be long in suspense. Many have encountered the greatest hardships to obtain their freedom; but very few, I presume, who were legally free, have solicited the boon of slavery.

Our good friend of the Richmond Whig, when he intimates that the free coloured race in Pennsylvania, are subjected to all the responsibilities of free agency, without *any* of its advantages, seems to aim a blow at our political institutions, which happens to fall with greater weight upon those of his own state. There are few, if any, civil or political rights withheld in Pennsylvania on account of colour. We have not here, as in some of our sister republics, one code of laws for the white and another for the coloured population. If the latter class exercise no control over the legislation of the country, we must look to their own characters and conduct, not to the constitution or laws, for an explanation.

The broad assertion, that the colour must establish an *eternal* barrier between the two races, seems to me to contain more of the air than of the spirit of prophecy. Without adverting to the more extended application of the word *eternal*, we may inquire whether a physical or a political barrier was in view. Short as the period has been, even when compared with a measurable portion of time, since the two colours have been placed in jux-

taposition on the west of the Atlantic, a few facts have already occurred, which spread at least a doubt over this confident prediction. The political barrier has nearly disappeared in the northern states; and the physical has been broken, to a considerable extent, in those of the south. To restore this *eternal* barrier, would require a dreadful waste of human life; as well as some other sacrifices, which the masters are not likely to make. It is not for me to decide, whether a complete amalgamation of the black and white population of the United States can or cannot take place. We are all too heavily encumbered with the prejudices engendered by slavery, to examine the subject with philosophic candour. If the objections to a complete assimilation are founded in nature, they must doubtless continue; if they are based upon prejudices resulting from transient circumstances, they *may* in time disappear. Posterity must decide the question.

We have in this notice a tolerable specimen of the logic of slavery. Although the condition of the slaves would be deteriorated by their restoration to liberty, either here or any where else, still the writer professes an ardent desire that the day may come when the character of Virginia shall no longer be obnoxious to the *reproach* of holding human beings in bondage. If the happiness of those human beings is improved by their servile state, where is the ground of reproach? Are the masters obnoxious to just reproach for securing to their slaves those substantial enjoyments, while they are themselves weighed down and impoverished by the system? The error so commonly made in the comparison of the comforts enjoyed by the free and



the bond, arises from this—the most favoured of the slaves are compared with the most wretched of the free; the comforts of the one are contrasted with the cares of the other. But by this mode of reasoning, the happiest condition of man may be sunk, in estimation, below the most miserable; for the brightest has its shadows, and the gloomiest its intervals of sunshine.

The white inhabitants of the United States, compared with the roving tenants of southern Africa, must be admitted to stand many degrees higher in the scale of moral and intellectual refinement; yet who would hazard the assertion, that none could be found among us inferior to the brightest and best of the Hottentots?

That every state in which slavery predominates, will be retarded by it in the career of improvement, is a truth too fully established by experience to be longer denied; and yet, strange as it may seem, we find those who are weighed down by its pressure cling to this scourge of nations, as to one of their most indispensable privileges. It is of no importance to the philanthropist who suffers most by this iron system, the master or the slave. It is enough that it is deleterious to both. But probably very few disinterested observers will admit, that the masters are borne down and impoverished by this system, while the slaves themselves are maintained in possession of all the substantial comforts of life. It is the labour of the slaves, not of the masters, that supplies the substantial comforts of both; and we may rest assured, that unless the system has strangely altered the nature of man, the masters will have their share of the common stock.

#### THE SHELTER FOR COLOURED ORPHANS.

The man whose virtues are more felt  
than seen,  
Must drop indeed the hope of public  
praise,  
But he may boast what few that win it  
can.  
COWPER.

It is a remark which is too old to surprise by its novelty, but not so antiquated as to be unworthy of remembrance, that those who would effectually promote the reformation of society must begin with the youth. If the morning of life is permitted to pass away unimproved, the habits, of thought and action, formed during that interesting period, must present a very stubborn barrier to advancement in usefulness and virtue during the subsequent stages.

Tacitus, that eminent master of life and manners, attributes the virtues of the ancient Romans to the care that was bestowed upon the youth. To cultivate the infant mind, was then the glory of the female character. Women, of the most illustrious families, superintended the education of their offspring.\* In all ages and countries, the character of the population must greatly depend upon maternal care. Never, says an able writer, was a great man known to be the son of a silly woman, and seldom, he might have added, of a careless one.

The philanthropic Benezet did not overlook the importance of education, in his efforts to meliorate the condition of the coloured race. The school to which he devoted so many years of his useful life, and to which he appropriated the principal part of his posthumous estate, is a lasting memorial of his solicitude for the welfare of this

\* Dialogue concerning Oratory, sect. 28.

neglected class, and of his opinions respecting the means of promoting that welfare.

There is still a portion of the coloured race, who are peculiarly exposed to the evils of neglected education and familiarity with vicious example. Those who lose their parents during the dependent period of infancy, even if left in possession of wealth, and surrounded with family connections fully competent to provide for all their physical wants, are justly considered as objects of commiseration. With us the name of an orphan, like that of a stranger among the Greeks, is at once a passport to sympathy. But how seldom are our warmest sympathies awakened in behalf of those who appear destined to move in a sphere widely different from our own. The coloured child, whom nature or oppression has deprived of its natural protectors, is not unfrequently left to work its way through the world with little of that sympathetic care which we accord to those of our own complexion. But this destitute class has recently engaged the sympathy, and awakened the exertions of a part of our population. A number of unassuming females, chiefly, if not exclusively, members of the religious society of friends, have associated for the purpose of providing a "shelter for coloured orphans," from the merciless blast of moral and physical ills.

This interesting association, during the five years which have elapsed since its formation, has kept the noiseless tenor of its way, amidst difficulty and discouragements, that might have checked a hardier band. Intent on the accomplishment of their benevolent designs, and with slender funds, collected chiefly by their own exer-

tions, these maternal philanthropists have brought into successful operation a system worthy of imitation, and deserving of extensive patronage. The enterprise merits a more specific description.

The plan appears to have originated about the year 1814, with a pious woman,\* who is since removed beyond the reach of censure or applause. She at that time communicated her prospect to some others of her sex, and made some efforts towards the promotion of an establishment for the reception of the class of orphans above described; but not finding her philanthropic designs sufficiently encouraged, the prospect was suspended for a time.

The solicitude for the objects of her meditated bounty, does not appear to have been relinquished. About the year 1820, she was conversing with a female friend respecting the probable issue of a disease which appeared to have fixed upon her frame, and which soon afterwards consigned her to the house appointed for all living, when this subject was brought into view. The friend expressing a belief, that in case her own life was spared, the work would be attempted, the former immediately made a small appropriation to be applied in aid of the institution, in case it should be formed within a limited time after her decease.

In the first month of 1822, a more effectual effort was made, to form an establishment for the purpose originally contemplated. About twenty† female friends, having convened to deliberate on the subject, agreed to attempt an establishment, on a scale

\* The late Ann Yarnall.

† That number has been increased at several times since the first meeting, and the association consists at present of about thirty-five members.

adapted to the smallness of the number likely to be at first entrusted to their care. Measures were adopted in that and the succeeding month, for the regular organization of the company; for the collection of funds to meet the necessary disbursements; for obtaining suitable persons to take the immediate charge of the orphans; and for bringing within the reach of their bounty, such children as were the proper objects of it.

The design was to accept of coloured orphans, between eighteen months and eight years of age; to provide for their education and support during their continuance in the shelter; and at proper ages, to bind them out, with suitable masters and mistresses, where they might receive the needful preparation to provide for themselves. It was soon discovered that children, of the description to be provided for, were sometimes withheld from partaking of their bounty, by the fears and jealousies of connections. Those who were very ill qualified to provide for the moral or physical wants of their orphan relatives, were not always willing to entrust their helpless charge to strangers, whose motives of action they were unable to appreciate. From this cause, combined perhaps with some others, the association were left to begin their operations with a solitary incumbent.

A coloured man and his wife, of respectable character, were engaged to take charge, under the direction of a committee of the association, of the orphans who might be admitted into the shelter. The house in which they resided was fitted up for the purpose, and furnished with the needful accommodations. The first orphan was admitted into the shelter, on the 7th of

3d month, 1822. But this incipient institution was soon deprived of the services of the matron whom they had engaged. Humble as was her station in life, and short the period assigned to her services in this concern, her sudden decease made a very sensible impression on the minds of her employers. In their notice of the event, they have given a very short but expressive testimony to the worth of Rosanna Jackson.

In the fourth month a constitution was adopted, the preamble to which is given, as illustrative of the feelings by which the promoters of this institution were actuated.

"If any apology be necessary for introducing to the notice of the humane this obscure class of dependents upon public bounty, we trust that apology may be founded upon a sense of justice due to a people who have endured the oppressive burden of slavery for many generations, sustaining, in the estimate of public opinion, the odium of a characteristic deficiency of mental capacity, and practical default of moral principle: the unhappy result of the combined influence of long continued ignorance, poverty, neglect, and evil example.

"The ruling motive of the association is to provide a place of refuge for such of the offspring of this people, who, being orphans, have a double claim upon charitable munificence; a claim which must be allowed in itself to be equally valid from whatever cause they are deprived of parental protection; whether their natural guardians have been removed by the inevitable stroke of death, or in the more deplorable event which sometimes occurs, that the bonds of affection are violated, and parents severed from their children by

the relentless hand of avarice and cruelty."

In the tenth month, the association, having a prospect of several additional incumbents, removed their furniture to a house in Noble street, which they rented for the purpose, at ninety dollars a year; and settled a family there, ready for the reception of such coloured orphans as might be entrusted to their direction and care. Written rules were provided for the government of the family, in which strict attention was enjoined to the physical comfort of the children; and care to establish regular moral habits.

The proceedings of this association, in the organization and subsequent management of this interesting institution, evince a degree of devotion to the cause in which they were engaged, and of judgment to conduct the concern with propriety, highly deserving of the confidence and support of the wealthy and humane.

In the eighth month, 1824, a new location of the shelter was effected. The family was removed to No. 166, Cherry street, where it still continues.

From the account of receipts and expenditures, which are exhibited in the annual statement of the treasurer's account, it is easily inferred that the funds have been well economised; yet the unavoidable disbursements still press hard upon the means of supply. The attention of the public has been more than once called to the subject, by notices in the periodicals of the day. A few legacies have fallen to the association, but the funds are principally composed of donations, and annual subscriptions.

In the spring of 1825, a donation of one hundred dollars was made to the association, by a society of coloured

women, who had united for the purpose of affording assistance to the sick of their own colour; and at one time contemplated an extension of their plan, so as to include the objects embraced by our female friends. Their donation was vested in a city water loan, on which interest is receivable at six per cent. This is designed as the beginning of a fund for the purchase of a permanent location for the shelter.

It is very desirable that an enterprise of so noble a character, so well calculated, not only to promote the improvement of an oppressed and degraded race, but to diminish the future expenses of government, should be placed beyond the reach of pecuniary embarrassment. The very class whom these benevolent females are endeavouring to mould into useful members of society, are the children, with whom, if they continue to be neglected, we may reasonably expect, at a future day, our jails and penitentiaries to be crowded. If society can be secured, by the education of our youth, from the depredations of lawless and untutored manhood, certainly policy, no less than humanity, dictates the course to be pursued. If any of those who are entrusted with an abundance of wealth should feel disposed, in making their final arrangements, to remember the *shelter*, their posthumous liberality may probably be a blessing for ages to come, and can scarcely, within the reach of possibility, be productive of harm.

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REVIEW OF BARCLAY.

(Continued from page 248.)

In a preceding number I gave an analysis of the new slave law of the Bahamas, as a specimen of the kind of feeling which animates the West Indian

legislatures, in regard to the melioration of their servile codes. As negro slavery, whether located on a British island or in the bosom of a republic, has certain invariable lineaments, the portrait may probably not be totally destitute of interest to the readers of this journal. We find, indeed, in the legislative enactments thus far examined, little appearance of those benevolent feelings towards the slaves, which the statements of our author would lead us to expect. The same subject will now be further pursued.

In the island of Barbadoes, the reformation of the slave laws was brought before the legislative assembly, in consequence of the recommendations of the mother country; but the spirit which was manifested in the opening of the question, sufficiently evinced the aversion of that body to the adoption of any real improvements in the legal condition of the slaves. The mover of the question seems to have been too indignant towards the authors of the measures at home, which had driven the colonial assemblies to the discussion of this unpopular subject, to confine himself to the merits of the question, or the proper means of attaining the object in view. He pronounced a most violent philippic against the abolitionists, denouncing them and their motives in terms quite too harsh and repulsive for parliamentary usage. The attempt of the mother country to procure, even by the instrumentality of the colonial legislatures themselves, a legal recognition of the rights which we might suppose, from our author's representations, were generally admitted in practice, appears to have been thought sufficient to rouse at once all the indignation of the Barbadian proprietors.

Two sessions were permitted to pass away, without effecting any thing in this momentous business. For when the assembly produced to the council their meliorating law, it appeared so defective in its provisions for the protection of the slaves, that they refused their sanction; probably supposing such an exhibition of improved legislation, more likely to produce an unfavourable impression in the mother country, than the delay resulting from discordant opinions and protracted discussion.

The points at issue were the following; and they certainly furnish a curious specimen of legislative humanity. Whether persons not proved to be slaves, shall or shall not enjoy the privileges of freemen; whether the punishment to be inflicted by the master on the slave should be subject to limitation, or left discretionary; whether the mere attempt, on the part of a slave, to strike a white person, should be held a justification, if that white person should kill the slave in return; whether a slave making unfounded complaints against his master, shall be punished with greater or with less severity; whether the instrument for compelling the labour of slaves should be a whip or a cat-o'-nine tails; whether any free white, free coloured, or free black persons, who shall be guilty of intermarrying with slaves, should be subjected to the ignominy of having the evidence of slaves generally admitted against them; whether Sunday markets shall be abolished; whether the heavy fine of £50 on each act of manumission shall be continued.\*

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\* Second report of the committee for the gradual abolition of slavery. London, 1825. Page 8—11.

This arduous enterprise has at length been effected, and a new slave law has been offered to the royal approval, which was applauded by the speaker of the assembly as an act which must endear their memory to posterity. This splendid achievement of West Indian humanity; this result of the labour of so many tedious hours, offers however, to our view, a gloomy picture of servile happiness.

They commence with a compliment to the *prudence* and *wisdom* of their forefathers, as exhibited in their laws for the government of their slaves; and repeal sixteen statutes which had been enacted on that subject in the course of an hundred and thirty years.

Slaves accused of capital crimes are to be tried by three justices, and twelve freeholders of the parish where the crime was committed. If the jury are unanimous in convicting, and the sentence be death, the execution shall take place not less than forty-eight hours after passing the sentence; and if the owner or overseer of the slave be the prosecutor, then a solicitor is to be engaged for the accused, and a clerk is to be appointed to take minutes of the trial, which are to be filed in the Crown-office of the island. If, when a slave is condemned to death or transportation, the owner, &c. shall desire to appeal, (the slave himself has no right of appeal,) the execution shall be stayed for ten days, that such owner may have time to apply to the governor for a writ of error; and the judgment of the court of error, which shall have power either to affirm or reverse the sentence, shall be final; such court having power also to award costs against persons who may be deemed obstinate and vexatious for moving a writ of error without good cause.

Every owner, who does not furnish every year his slaves with "decent clothing, according to the custom of the island," shall, on proof thereof, pay twenty shillings for each slave who shall not have been decently clothed within the year; half to be paid to the

informer, and half to the treasury of the island.

This fine, we observe, is \$2 90 cents of our money, and therefore the risk of the master is certainly much less than the expense of decent clothing. Supposing the law enforced, the master may probably neglect to clothe his slave with less cost than he can clothe him; for what sort of decent clothing for a year could we purchase at the price of \$2 90 cents?

Several clauses are introduced to regulate the apprehension and imprisonment of slaves.

If not claimed in three months, the provost-marshal is empowered to sell them: the proceeds, after paying their expenses, to be paid into the treasury. *Until sold, the run-aways are to be kept at work in the chain gang.* Persons claiming to be free are to be kept advertised as such for three months; and if at the end of that time their freedom is not proved, the governor and council are empowered to hear and to determine the matter, and either to sell them as slaves or send them off the island. For persons committed as run-aways, but claiming to be free, the provost-marshal may take bail in 100*l*. The keepers of the cage, or of prisons, misconducting themselves, or being guilty of any crime, misdemeanor, or offence, in their office, shall be punished with imprisonment, not exceeding one month, and fine, not exceeding five pounds.

Any justice of the peace may call out a guard of twenty men, armed, to apprehend run-away slaves; and if any such slaves are killed, in consequence of their resisting the authority of this guard, the guard shall not be punished for the same, either criminally or otherwise.

Any owner, &c. permitting a slave to go at large for the purpose of supporting himself, or paying hire for himself, or following any trade or business, for his own advantage or that of his owner or any other person, shall forfeit 5*l*.; the *onus probandi* resting on the

party complained of. This most cruel and oppressive enactment is not to extend to a slave regularly settled in any house, and carrying on trade for the benefit of his owner, if licensed half-yearly.

Any person may apprehend any slave having in his possession "any sugar-canes, sugar, rum, cotton, ginger, aloes, plate, wrought or cast iron, lead, copper, pewter, brass, tin, or other article or thing, of what nature or kind soever, without a note descriptive of the same; who, on conviction before any justice of the peace, shall be whipped, at his discretion, not exceeding thirty-nine lashes. And if any slave shall plant cotton, ginger, or aloes, it can only be reaped under the inspection of some white person, and sold or disposed of by the same.

"Any slaves guilty of quarrelling or fighting with one another; or of insolent language or gestures to or of any white person; or of swearing, or uttering any obscene speeches; or of drunkenness; or making, selling, throwing, or firing squibs, serpents, or other fireworks; or of cock-fighting or gaming; or of riding on a faster gait than a walk, or of driving upon a faster gait than a gentle trot, on any road, street, or lane of the island; or of cruelly whipping, beating, or ill-using any horse, mule, ass, or other cattle; or of negligently driving any wagon, cart, carriage, &c.; or of any disorderly conduct or misbehaviour; shall, on conviction before any justice of the peace, be whipped, at his discretion, not exceeding thirty-nine stripes; but the punishment of pregnant women shall be commuted to imprisonment."

Slaves wilfully striking or assaulting any white person, shall suffer, for the first offence, not more than six months' imprisonment and thirty-nine lashes; for the second, transportation for life, or imprisonment and hard labour, at the discretion of the court. Slaves who "shall strike, or offer, or dare to strike, or use any violence towards their master or mistress, shall, for the first offence, suffer death without benefit of clergy, transportation, or such other punishment as the court may think fit to inflict; and for the second, death without benefit of clergy. Slaves guilty of treason or rebellion, or who

shall excite, or in any way promote mutiny or rebellion, or any thing that shall have a tendency thereto, or prepare arms or offensive weapons; or hold any council for, or compass or imagine for, the purpose of rebellion; or commit any murder, forgery, felony, or robbery; or wilfully set fire to any house, out-house, canes, &c.; or break into any house, and steal thence above the value of forty shillings; or compass and imagine the death of any person, and declare the same by some overt act; or steal any live stock above forty shillings' value; shall, for every such offence, suffer death without benefit of clergy, transportation, or such other punishment as the court shall inflict. Slaves committing any crime not here specified, which, if committed by a white or free person, would be deemed felony by the laws of Great Britain; or wantonly and wilfully killing, by poison or in any other manner, any cattle, horse, mare, mule, ass, sheep, or hog; or who shall pretend to supernatural powers, or shall use obeah\* for malicious purposes; shall suffer death without benefit of clergy, or such other punishment as the court shall think proper. Slaves stealing, or attempting to steal, under the value of forty shillings, any cane-trash, &c. shall suffer corporal punishment, imprisonment, and hard labour, at the discretion of any one justice; but if the slave was urged to the crime by his owner not giving him sufficient food, the punishment shall be proportionably lessened, and the master be subject to a fine of 50*l*."

The practice of divination, or fortune-telling, shall be punished in a slave by whipping, imprisonment, and working in the chain gang, at the discretion of any one justice; in a white or free person, by a fine of 10*l*.

Any person wilfully or maliciously killing or murdering, or causing to be killed or murdered, any slave, shall be adjudged guilty of felony, and shall suffer death without benefit of clergy. But "if any person shall unfortunately kill by accident the slave of another,

\* And yet Barclay tells us obeah is now seldom heard of. How then comes it to be a capital offence in Barbadoes?

he shall only be liable to an action at law for the value of the slave:" or if any slave shall be killed while committing, or attempting to commit, any robbery, theft, burglary, or arson, or in the attempt to maim or injure any white person, the person killing any such slave shall not be punished for the same, either criminally or otherwise.

"Whereas it is highly expedient to restrain owners and others, having the government and direction of slaves, from indiscriminately, wantonly, and cruelly exercising the power they possess over slaves; and as the cruelty of punishment by flogging necessarily depends much more on the manner of inflicting it than upon the number of stripes; it is therefore most conducive to the ends of humanity" [not to limit the number of lashes, but] "to trust to the discretion and good feelings of the justices before whom complaints shall be made:" it is enacted, that if any person commits, or causes to be committed, any wanton act of cruelty towards any slave, or shall wantonly, maliciously, and cruelly whip, beat, or bruise any slave, such person, on conviction before two justices, may be fined not more than 25*l.* (about 17*l.* sterling): and if the accuser cannot prove his complaint, yet if the marks of the cruelty appear on the person of the slave, and the slave makes a particular, consistent, and probable statement of the cruel punishment, then the accused shall be considered guilty, unless he shall prove, either by his own oath, or the oath of some credible witness, that the punishment was not inflicted by him, or with his knowledge: and if any slave shall make a complaint, which shall appear to be frivolous, vexatious, or unfounded, then the justices may give him thirty-nine stripes. Any person maiming, mutilating, or dismembering a slave, may, on conviction at the grand sessions, be punished by fine and imprisonment, [no minimum is fixed,] or either, as the court shall think fit; and if the maiming, &c. shall be done by the owner, then the slave shall be taken possession of by the treasurer of the island, and forthwith sold [not made free, but sold] to some person of good and humane repute, for the best

price that can be obtained for him, and the proceeds paid over to the owner or his creditors. For a second offence, the whole of his property in land and slaves shall be vested in trustees, to be managed for his benefit or that of his creditors, or to be sold, as the case may be, and paid to him or to his creditors; and he shall be declared incapable of holding the possession, or having any control whatsoever over slaves.

Any slave who shall hear any other slave speak any words tending to mutiny or rebellion, or shall know of his having gunpowder or arms in his possession for purposes of rebellion, and shall not immediately disclose the same, shall suffer death without benefit of clergy, or such other punishment as the court may think fit.

Any slave giving information which shall lead to the discovery of plots, &c. and shall cause the conviction of the accused, shall be purchased by the treasurer and made free, and receive an annuity of 10*l.* and be sent where he pleases.

As the evidence of slaves is admitted against persons of their own condition, but not against whites, a strong temptation to perjury and judicial murder, is here held out to the slaves, without exposing the whites to danger. Numerous specific instances might be given, in which there is too much reason to believe that this kind of temptation has been too strong for negro virtue.

Every slave who, in the case of invasion or rebellion, shall by any means kill or destroy one or more of the enemy or rebels, shall be rewarded at the public expense, or made free, if his cost shall not exceed 100*l.*

"The evidence of slaves shall, as heretofore, be taken and received, in all cases against each other." The evidence of slaves having a certificate of competency from the clergyman of the parish, shall be received in all cases which do not concern their owners, or affect the life of a white person. But



if any white or free person shall associate with a slave in cock-fighting, gaming, getting drunk, &c.; or *shall live with any slave as man or wife*, then the evidence of *any* slave shall be received against such person. Slaves giving false evidence are to be punished as *the person would be on whose trial the false evidence was given.*

If this act contains, as the governor on transmitting it to Lord Bathurst asserts it does, very great and substantial improvements, what was the condition of the slaves before its enactment?\*

#### THE ANTELOPE, OR GENERAL RAMIREZ.

The petition of Richard H. Wilde to the general government on the subject of his bond to the United States, conditioned for the removal of a number of African slaves beyond our territorial limits, having produced considerable incidental discussion in the House of Representatives, on the subject of slavery and the slave trade, it is apprehended that a concise narrative of the case may prove interesting to some of the readers of this journal.

In the year 1819, a privateer, called the Columbia, sailing under a Venezuelan commission, entered the port of Baltimore, and there clandestinely shipped a crew of thirty or forty men, with whom she proceeded to sea. The Artigan flag was hoisted, and the name of the vessel changed to the Arrogonta. A piratical slave trading cruise was prosecuted along the coast of Africa, in the course of which, a vessel, said to be the Exchange, of Bristol, Rhode Island, which was found slaving on the coast, was robbed of twenty-five slaves. A number, supposed about one hundred

and thirty, were taken from several vessels bearing the Portuguese flag; and finally, a Spanish ship, called the Antelope, which was found taking in slaves on the African coast, was captured as Spanish property.

On board this vessel, John Smith, an American citizen, was placed as captain, and the name of the ship changed to that of the General Ramirez. The slaves were transferred from the Arrogonta, to the General Ramirez, and the two vessels sailed in company to the coast of Brazil, obviously to effect a clandestine sale of the slaves; but here the Arrogonta was wrecked, and the captain, Metcalf, and great part of the crew, either captured or drowned. Whatever was saved from the Arrogonta, was transferred to the General Ramirez; and captain Smith proceeded to the north along the coast of Surinam, and among the West Indian Islands. Not finding an opportunity to dispose of his cargo, he sailed still northward, and while hovering on the coast of Florida, the vessel was reported to captain Jackson, of the revenue cutter, Dallas, as one of a piratical appearance. Captain Jackson, with a sufficient force, proceeded to visit and examine her. On boarding he found two hundred and eighty slaves on board; and that the captain held an American protection, though professing to act under a commission from general Artigas. The crew were likewise chiefly Americans. Under these circumstances, captain Jackson took the vessel into Savanna for adjudication. This was in the early part of 1820.

A number of conflicting claims were set up to the persons of these sable strangers. 1st. They were claimed by captain Jackson, on behalf of the United

\* Picture of West Indian Slavery, as drawn by the Colonists themselves.

States, and the officers and crew of the Dallas cutter.\* 2d. The Spanish vice-consul claimed the vessel, and one hundred and fifty of the slaves, on behalf of the original owners who were Spanish subjects. 3d. The Portuguese vice-consul claimed one hundred and thirty of the slaves, on behalf of some unknown Portuguese owner, from whom they were understood to have been taken. 4th. An underclaim was made by captain Jackson, on behalf of the officers and crew of the Dallas, in case restitution was decreed to the Spanish and Portuguese claimants, for salvage; they having rescued the ship and cargo from pirates or enemies to Spain. 5th. Captain Smith claimed the ship and cargo, by the rights of war; on the strength of his commission from general Artigas.

While these claims were in suspense, the sickly summer carried off about fifty of the slaves. The rest were distributed in the neighbourhood of Savannah, to work for their maintenance with various individuals, under the superintendence of the marshal.

The judge (Wm. Johnson) of the district court, decided that the twenty-five slaves, taken from the American ship Exchange, were free, and subject to the order of the executive. The rest were ordered to be restored to the Spanish and Portuguese claimants, because the *Arrogonta*, which captured them, had been equipped in one of our ports. The capture was therefore

a breach of our neutrality, and our treaty stipulations require restitution. It being impossible to identify the slaves belonging originally to the cargo of the Exchange, sixteen were ordered to be selected by lot, from among the survivors, and placed at the disposal of the president. It hence appears that about one-third of the slaves, found on board of the General Ramirez, were by this time extinct. Those sixteen, I presume, were sent to Liberia, as I find by letter from John H. Morell, marshal, to the secretary of the navy, dated September 29, 1821, that they were then waiting the orders of the executive; and a letter from the navy department to the marshal, dated April 8, 1822, directs that all the captured slaves in his possession should be sent to Norfolk or Baltimore, for the purpose of transportation to Africa.

The case being carried by appeal to the supreme court of the United States, it was decided there in 1825, that, inasmuch as no Portuguese owner had appeared during the five years that had elapsed since the capture, it must be presumed none such existed. The Portuguese flag was probably assumed to conceal the real character of the owner. The Spanish claims were admitted as far as the number, found on board the *Antelope* when captured by the *Arrogonta*, could be proved. The court considered the title established to ninety-three of the original cargo of the General Ramirez. It therefore directed that such part of ninety-three as the survivors were of the original number, should be given up to the Spanish claimants.

The question again came up in 1826, as to the manner in which the residue of these ninety-three, now reduced to

\* This claim, if allowed, would have rendered the slaves free, liable to the orders of the president, who is authorized to provide for their removal beyond the limits of the United States. The captain and crew would have been entitled to a bounty. See page 16 of this journal.

fifty, should be designated, when it was decreed that they must be individually identified, and not selected by lot. The attempts to identify the slaves originally shipped on board the Antelope, were successful only as far as thirty-nine individuals. The proof, such as it was, to this number, was subjected to the examination of the supreme court, within the last year, and finally settled. The thirty-nine there identified were decreed to the Spanish claimants. The rest were delivered to the marshal, to be placed at the disposal of the president.\*

The subjoined notice of them is contained in the report from the navy department accompanying the president's message to congress, at the opening of the present session.

During the past summer, 142 were sent from Savanna to the agency. They were brought into Georgia, in the year 1820, in the General Ramirez: and have been, from that time to the last spring, in a course of litigation, and at a great expense to the government. As soon as the department was authorized to take charge of and remove them, measures were taken for that purpose. They were received at the agency, and disposed of in such way, that they will occasion very little expense for the first six months, and none afterwards.

The petition presented to congress is as follows.

*"To the Honourable the Senate and House of Representatives of the United States, in Congress assembled:*

*"The petition of Richard H. Wilde humbly sheweth—*

*"That a vessel called the Antelope,*

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\* This account was made up from some papers lodged in the office of the navy department at Washington, and the reports of the cases in Wheaton, vol. x. xi. and xii.

or General Ramirez, together with a number of Africans on board, were captured by a revenue officer of the United States, and brought into the port of Savanna for adjudication. The vessel and cargo being libelled, were claimed in behalf of Spanish and Portuguese owners, by the consuls of their respective nations, and such proceedings had, that a large number of Africans were ultimately adjudged to the United States, to be disposed of according to law, as may be seen by the record of the case in the supreme court remaining, and the report thereof, in the 10th, 11th, and 12th vols. of Wheaton's Reports.

"But it also appears thereby, that thirty-nine of the Africans therein mentioned were finally decreed to be slaves, the property of the Spanish claimants, piratically taken from them on the high seas, by a pretended South American privateer, and as such ordered to be restored to them, they paying salvage to captain Jackson, of fifty dollars per head, the charges of the marshal for the maintenance, clothing, safe keeping, &c. of the Africans, amounting to six thousand three hundred and forty-seven dollars, the costs of court and bills of proctors in the cause, amounting to —; and, moreover, giving bond with security, to export the said negroes out of the United States.

"That the said Africans having been in the state of Georgia, under the charge of the marshal of that district, by order of the United States' circuit court, for more than eight years, have formed connections by marriage, and many of them have children, from whom, if sent out of the country, they must be separated, as their wives and children are the property of other persons than the Spanish claimants.

"That, in November, 1827, an agent from the Spanish owners, Cuesta, Manzanal & Brother, arrived in Savanna, bearing full powers, to a respectable merchant of that city, to receive the said slaves for the said owners, pursuant to the decree, paying the charges and giving the bonds aforesaid, and immediately to transport them to the island of Cuba, the agent being authorized to engage a vessel for that purpose.

"Your petitioner, then in Savanna, being apprised of the repugnance of these people to depart from a country, to the language and habits of which they were accustomed; where easy labour was imposed, and kind treatment received, and struck with the cruelty of separating them from their wives and children, to send them into slavery in a Spanish colony, resolved, if possible, though with some risk and trouble to himself, to afford them the chance of becoming free, or, at least, of suffering servitude only in that mitigated form already familiar to them, in a state of society to which they had become reconciled, and in the bosom of their families.

"For this purpose he became the purchaser of the Spanish interest, satisfied the marshal's bill, and all other legal charges, as will appear by the proper vouchers, and entered into the necessary bonds, to transport them out of the United States within the time limited.

"He has since, in order that they might be sent as free men to Liberia, made an offer of the said Africans, to the Colonization Society, for the money actually paid by him to the Spanish owners, and the charges aforesaid, as taxed by the circuit court, *without interest, or any addition whatever*, for the trouble and expenses of your petitioner incurred in their behalf.

"This offer the society have not accepted.

"In order to avoid seeing this unhappy people exported immediately, your petitioner, as before stated, has been obliged to give security that they shall be sent out of the United States within a specified time. The condition of his bond he must and will perform, however painful to himself, if congress decline to interfere.

"It is impossible to evade performance, and if it were possible, he is incapable of attempting it. If the bond can be cancelled, he proposes, by purchase or exchange, without a view to profit, to unite the families; and afterwards to settle them, within the territories of the United States, that they will be secure of as much kindness and indulgence as the condition of slavery allows.

"If they must continue slaves, as it is decreed by the definite sentence of

the supreme court, your petitioner humbly inquires, can it be important to the United States that their captivity should be embittered as much as possible by removal to a strange land, a separation from their wives and children, harder labour, and more cruel treatment?

"Since the owners of the wives and children will not sell them into Spanish bondage, even were your petitioner able to purchase and capable of purchasing them for such an object, (which he is not,) the separation of the husband from the wife, and the parent from the child, becomes inevitable, unless this bond shall be cancelled.

"For the sake of these poor creatures, and in the name of humanity, your petitioner humbly prays it may be cancelled.

"And your petitioner will ever pray.

"RICHARD HENRY WILDE."

The history of these untutored strangers is in part before the public, but probably the most pathetic portion of this tale of woe, is covered with the mantle of oblivion. They have none to portray the scenes through which they probably passed on their native shore. The terrors of the midnight attack, the flames of the burning village, the flight of the mother with the infant on her back, the desperate the sanguinary conflict, the bleeding victims, the anguish of despair, the long and toilsome journey to the distant coast, the ravings of despair when the land of their birth sunk in the distant horizon, the noisome floating dungeon, may all be distinctly imagined, for these are the usual concomitants of this murderous traffic,

But adverting to what we actually know of their calamitous adventures, we have enough to awaken a lively sympathy, if that feeling was not blunted by the reflection that its objects are covered with a skin not coloured like

our own. We find them on board a slave vessel, the horrors of which are too well known to need description; there they were captured by pirates, carried from place to place, their captors hovering, probably for months, on the shores of the two Americas, in search of an opportunity to dispose of the living cargo, till at length they were landed on the shores of the United States. Of two hundred and eighty who survived the horrors of this floating captivity, one hundred and fifty-eight have experienced the protection of our laws, and been reshipped to their native land. Thirty-nine, the only remaining survivors, now await the decision of congress. A benevolent citizen of Georgia, has interfered to rescue this poor remnant of a numerous band, from a second transportation in the holds of a slave ship, and offers to restore them to freedom and their country, upon a mere repayment of his actual disbursements. Large appropriations have been made for the abolition of the African slave trade; why may not congress add another twig to the laurel, by sending this feeble company to join their liberated companions on their natal coasts? Their case differs from that of their more fortunate companions, in nothing which can soften their lot, or lighten to them the burden of slavery.

#### REMARKS ON WEEMS' DEFENCE OF SLAVERY.

In the reports of the debates in congress on the petition of Richard H. Wilde, I find what I had not expected to see or to hear on this side of the Atlantic. A member of the house of representatives, (John C. Weems of Maryland,) has so far disavowed the principles upon which we assumed our

station among the nations of the world, as to attempt a vindication of slavery, even on the floor of that capitol which is loudly proclaimed to be sacred to liberty. I had supposed that our brethren of the south were willing to acknowledge, that slavery is a moral and political evil. That being entailed upon them by their ancestors, the difficulty of its extinction, and the dangers attendant upon every extensive and radical change in the existing order, must be relied upon as their excuse for its continuance.

Every person, of sober reflection, who is even partially acquainted with the situation of the slave-holding states, must be aware that the work of emancipation is one of great and appalling magnitude. The man of liberal feelings will make large allowances for the tardy and reluctant movements of the south, in this momentous work. But when we find this system elaborately defended, and the sacred volume pressed into the defence, not by an obscure individual, but by the representative of a free people, and in the hall of our national government, we may well blush for our country, and inquire, what is the tenure by which our own boasted liberties are held?

Considering the publicity of the defence, rather than the force of the arguments, it appears to be entirely within the plan of this journal, to follow the speaker, and expose his fallacies.

The orator commences with the sweeping declaration, "that slavery, the right of property in the human family, by purchase with your money, to be held and transferred in perpetuity to posterity, had been recognised by the Almighty himself, to the fullest

*extent*, under every dispensation which he has condescended, in mercy, to extend to man."

Previously to an examination how far the sacred volume can be made, by any latitude of construction, to sustain this position, it will not be impertinent to inquire, whether such a doctrine does not stamp a greater stigma upon the character of a benevolent Creator than the boldest atheist has ever attempted? And whether such an inference, if fairly deduced from Scripture testimony, would not do more to prostrate the reputation of those invaluable writings, than all the perverted ingenuity of the enemies of religion, from the days of Sanballat to the present time? What a powerful argument, in the hands of a Volney or Paine, would it be against the authenticity of Scripture, if it could be shown that slavery was recognised there *in its fullest extent*. But what are the proofs?

The first Scripture argument is drawn from the circumstance related in the ninth chapter of Genesis, of the undutiful conduct of Ham. This argument is so old, that I know not by whom it was first advanced, and so weak that I wonder it was ever advanced at all. Allowing to that indelicate act, all the criminality that either Scripture or reason can attach to it, I would submit to any rational mind, whether a temporary confinement, of the offender himself, in the penitentiary, would not be as ample a punishment as modern justice could wish to dispense? But we may observe, that the curse, whatever its meaning or force may have been, was denounced upon Canaan, the father of the race whom the people of Israel partially dispossessed of their lands, and reduced to a national not a per-

sonal bondage.\* Here we find the prediction of Noah sufficiently verified; yet we are not to forget, that it was not the prediction, but the special command of the Almighty, that warranted the Israelites in executing the decree. To deduce, from this portion of Scripture, a valid argument for the slavery of the negroes, several difficult questions must be satisfactorily solved. We must prove that the declaration of Noah was a denunciation, and not merely a prediction; that the curse of slavery was affixed, not merely to Ham or Canaan personally, but to their posterity for at least an hundred generations; and having fairly established these points, we must then prove, that the negroes are the posterity of Ham, or rather of Canaan, and that our own ancestry was not drawn from the same polluted stock. I am well aware of the notion so implicitly received, that the three sons of Noah were put into possession, by their father's will, or their own choice, of the three quarters of the old world, and that Africa was allotted to Ham. But I venture to assert that it is totally destitute of historical support. Indeed, the contrary is clearly established by the only authentic history which approaches, by several generations, to that interesting period. We may as rationally suppose that the inhabitants of western Europe, and consequently of the United States, are descended from Ham, as from either of his brothers. Indeed, the most probable supposition is, that we partake of the blood of them all. It is not likely that the grandsons of Noah *always* married their sisters; no doubt the cousins

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\* Joshua xvi. 10. xvii. 12, 13. Judges i. 28, 29, 30.

would sometimes be preferred. When the children of Israel drove the inhabitants of Palestine, the descendants of Ham, out of their land, may we not safely conclude that some of them would make their way to the west along the northern shores of the Mediterranean, and gradually spread into Europe?

But could it be demonstrated that the negroes are the posterity of Ham, and that we are descended from Japheth or Shem, we should still want a warrant for the infliction of the punishment denounced upon the race. The denunciation of the prophet against Eli's house, was not a warrant to every infuriated ruffian to butcher his sons.

Our orator next adverts to the case of the patriarch Abraham, whom he gratuitously claims as a slave holder. The three hundred and eighteen trained servants, whom he armed to pursue the plunderers of Sodom, are considered as slaves; and as the Almighty condescended to bless the master, it is gravely concluded, that the act of holding these men in that condition, was consistent with the divine will; and hence the more sweeping conclusion seems to be drawn, not very logically it is true, that the slavery now practised among us, must be right. To this inference I must be permitted to demur.

In the first place, we have no testimony that this band was composed of slaves, or even of servants; for in the Hebrew, the noun to which the adjective trained or instructed relates, is not expressed, and must therefore be supplied by conjecture. We may suppose, if we will, that they were a military corps, instructed in the use of arms, and kept under pay, for the purpose of defending the patriarch and

his possessions against the incursions of the neighbouring tribes. The servants spoken of in a subsequent verse, were evidently those who served under him in that expedition, including Aner, Eshcol, and Mamre, with their forces, who were confederate with Abram, and composed a part of his army.

In the next place, the only inference in relation to the condition of these servants, which can be drawn from the narrative, is, that their service was voluntary, and not constrained. They were instructed in the use of arms, and led out to battle by the patriarch himself. The government was patriarchal, not national; the power of constraint was within the family, and not supported by national force. It was not then consistent with the condition of the patriarch, or the nature of the case, that those who held the sword should be slaves.

An argument something more plausible, is drawn from the injunction laid upon Abraham, that "he that is born in thy house, or bought with thy money, must needs be circumcised." Hence slavery, we are to believe, was clearly tolerated by the Almighty himself, not merely in the persons thus purchased, but in their posterity for ever. "My covenant shall be in your flesh, for an everlasting covenant." How this proves the perpetuity of slavery, I am unable to perceive. I apprehend a modern Jew, who should insist that the practice of circumcision was never to be dispensed with, would have greatly the advantage of the argument in a contest with a slave holder, if this passage is to be taken as the text.

I wish to speak with reverence of sacred things, and not needlessly engage in discussions of a theological

nature; but I must be permitted to say, that the dispensations of unsearchable wisdom are always adapted, not only to the nature, but also to the condition of man. If the patriarch Abraham, the father of the faithful, was permitted to hold slaves, whom he purchased from his idolatrous neighbours, to subject them to his mild paternal government, and to bring them into covenant with the true and living God, it appears to me something allied to blasphemy, to infer from thence that *we* are divinely authorised to purchase and hold in bondage, the children born among us, without regard to their spiritual welfare. The authority given to Abraham, if authority it was, to retain the servants thus purchased, is accompanied with the most solemn obligations. The duty enjoined is the more prominent feature. If we plead the example, we must take it with all its responsibilities. We must follow the example in regard to *religious* instruction as well as magisterial authority. We must not hold our slaves merely as property, and ministers to our pleasure and ease, but as objects of paternal solicitude and religious oversight. The testimony given of Abraham, "I know him, that he will command his children and his household after him, and they shall keep the way of the Lord, to do justice and judgment," presents a conclusive reason why *he* might be safely trusted with power, which was not designed to be always purchased with money. It must have been a privilege of no trivial kind, to be domesticated in such a family.

But if we examine a little more closely, we find that the hypothesis, that those who had been purchased of

strangers were held in servitude by this pattern of righteousness, is entirely gratuitous. It is no where asserted that they were held as slaves. They may have been purchased from motives of humanity, to be redeemed from slavery; or they may have been purchased of their needy parents, to serve during a limited period.

From the whole tenor of the patriarchal history, it appears difficult to find even an example, not to say an authority, for personal and hereditary slavery. We find Jacob in possession of men-servants and women-servants, when returning from Padanaram; yet when we look round in search of those *brethren* whom he called to witness the covenant with Laban, none can be found except those servants, who were employed in the care of his family and flocks. The family of this patriarch are afterwards named, upon their ingress into the land of their subsequent bondage; but these servants have disappeared. If they had been hereditary slaves, it is to be supposed they would have somewhere left their trace on the historian's page. The proof with respect to the practice of that day among this chosen people, is confessedly defective; we may therefore make our own suppositions on the subject. But while I admit that hypothesis is not argument, I insist that a supposition in favour of universal freedom is quite as good as one in defence of slavery.

I venture to assert, without fear of refutation, that no unequivocal testimony can be produced to support the hypothesis, that either Abraham, Isaac, or Jacob was ever possessed of a slave. The instance of Hagar has been adduced, though our orator has over-



looked it, as evidence in the case. She, it is true, is called a bondwoman, but we have no account how long her term of service was to continue. She may have been bound for a limited period, which had not expired at the time of Ishmael's birth. We have no intimation that she was held to service after she had born Abraham a son. Her relation to Abraham, as the mother of his only son, sufficiently accounts for her continuance in the family, without resorting to the unauthorised assumption of her continuance in servitude. If, however, our brethren will insist that Hagar was a slave, and plead the example in defence of negro slavery, it is to be hoped that they will not forget the sequel of her history. They may, perhaps, agree to follow Abraham's example in one or two instances; why not then give it its most salutary influence? *Hagar and her son* were unquestionably set free, and that expressly by divine command. If such a command was given for her previous detention in servitude, it has escaped my inquiries. The case, therefore, turns out rather against than in favour of slavery.

The most formidable argument is still behind. Both thy bond-men and thy bond-maids, which thou shalt have, shall be of the heathen that are round about you; of them shall ye buy bond-men and bond-maids. Moreover, of the children of the strangers that sojourn among you, of them shall ye buy, and of their families that are with you, which *they* beget in your land, and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen for ever, (Levit. xxv. 44, 45, 46.)

This argument, like the champion of Gath, is vulnerable in the forehead, and may be despatched with its own weapons.

The *command*, as our pleader calls it, to hold slaves, is thrown in among the *prohibitions*, and evidently amounts to no more than a modification of a restriction. The children of Israel were *not* to hold their brethren longer than six years, but might apply to the purchased heathen a less lenient rule. But certainly the man who chose to perform his labours with his own hands, and buy neither Hebrew nor heathen bondmen, could not, on that account, be charged with a breach of the divine command. This authority to hold the heathen in bondage, being only permissive, must be so construed as to preserve the force of the positive precepts. "Ye shall hallow the fiftieth year, and proclaim liberty throughout the land to all the inhabitants thereof," is an unequivocal injunction. The permission applies expressly to those whom they should buy; no grant of the child, because the parents had been bought, appears in the text. "They shall be, your bondmen for ever," may be construed, this class of bondmen shall continue to be bought and held, as long as this law continues unrepealed. The purchased servant was transmitted to the children of the purchaser. But when the year of jubilee came, all the inhabitants must become free. If Moses had designed that the liberty proclaimed in the jubilee year should be limited to a part of the inhabitants, we cannot rationally suppose he would have been less particular in regard to personal freedom than to the possession of property. A house within a walled city, if not redeemed within a year, was established for ever

to the purchaser; but he adds, throughout his generations, it shall not go out in the jubilee. Had hereditary servitude been intended, doubtless some equivalent expression would have been used.\*

But admitting that hereditary slavery was sanctioned by the Jewish law, what is that to our purpose? It was an authority to the Israelites to buy and retain the heathen. We do not find a clause transferring that authority to us. We have no reason to suppose ourselves descended from either of the twelve tribes, to whom the permission was given. If the passage has any direct application to the people of the present day, it proves a great deal too much; for it proves that the Jews or any of the scattered tribes, may lawfully buy us and our children as slaves. If we could agree with some modern authors, that the Indian nations are descended from the followers of Moses, we should not readily subscribe to the practical application of these precepts. If we take Moses for our master, I fear he will condemn a much larger part of our practice than he will justify, while at the same time he may probably admit some inconvenient innovations into our new modelled society. The authority to buy and hold slaves, is at most a permission, not a command; but other parts even of this favourite chapter, without looking further, contain various positive injunctions, which it is presumed the people of these states would be very slow to adopt. The strict observance of the sabbatical year, the general liberation of servants on the year of

jubilee, and the release of alienated property twice in a century, would encroach inconveniently upon our usual habits, and necessarily break down the system of negro slavery more rapidly than the warmest abolitionists would venture to advise.

To assert that the permission given to the Israelites to hold slaves is an evidence of the moral rectitude of slavery, would be to give the lie to a much higher authority than Moses himself. Many things were permitted to that hard-hearted and stiff-necked people, which refined morality, not to mention Christianity, absolutely prohibits.

One reason for the detention of heathens in the service of the Israelites, may have been, that the former might thereby become converts to the true religion. If we hold negroes for the same reason, we ought at least to be assiduous in the work of conversion. I fear we fall in this respect below our friends on the south of the Mediterranean. Conversion to Islamism is often attempted by the Mahometan master, and the converted slave becomes free. The superiority of our religion is but a lame excuse for the inferiority of our practice.

Lastly, the precepts of the gospel are invoked, but with lamentable success, in support of a system which the common sense of mankind has long agreed to condemn. The injunction to masters to render to their servants that which is *reasonable and just*, can afford no evidence of the rectitude of slavery, until it is proved that personal freedom is *reasonably and justly* withheld. The admonition to servants to serve their masters faithfully as in the sight of God, even if the address was made solely to slaves, no more proves that slavery is sanctioned by the gos-

\* A more particular examination of this subject may be seen in pages 87 and 254 of this journal.

pel, than the injunction to turn the other cheek to the smiter, proves the propriety of the original aggression. To infer from this passage, that slavery is authorized by the doctrines of the gospel, is about as logical as to conclude, from the command "bless them that curse you, and pray for them that despitefully use you and persecute you," that cursing and persecuting the disciples, was consistent with their master's will.

The case of Onesimus, a supposed runaway, is again brought forward, for perhaps the five hundredth time. As there is no shadow of evidence that Onesimus was a slave, little need be said upon the case. The supposition of the apostle, and we observe it is expressly only a supposition, that possibly Onesimus had wronged or was indebted to Philemon, proves, if it proves any thing, that he was *not* a slave. It indicates a capability of contracts which belonged only to the free.

#### NORTHERN PRESIDENTS.

Mr. Dorsey, a member of congress from Maryland, in a speech which he delivered on the 10th ult. in the house of representatives, uttered the following sentiment:—

"As to what has been said respecting a Northern President, it never enters into our conceptions that we shall again have such presidents. Does not the gentleman from New York know that a law has gone forth, which decrees that we shall hereafter have no president north of the Potomac? We are not, therefore to be scared by imaginary terrors."\*—*National Gazette*.

\* It appears by a subsequent notice, that the speaker had informed the editor, that this was expressed sportively, and was so understood by the house. It is of but little importance how *sportively* the thing was expressed; a strong

This may, perhaps, be regarded as mere declamation, unworthy of further attention. But casual remarks sometimes disclose the intentions which sober policy would wish to conceal. A deeper policy than that of mere local attachments or antipathies, is plainly indicated in this rash declaration. The recent discussions on the floor of congress, furnish unequivocal evidence of the sympathies of the south with the question of slavery. There can be little doubt that this will continue to be a rallying point with the politicians south of the Potomac, including a few north of that river. An extreme jealousy evidently pervades the slave-holding districts, in regard to any chief magistrate chosen from the other section of the union.

Certainly, whatever our opinions may be on the momentous question of slavery, and whether we consider its existence as the fault or the misfortune of those who support it, we must agree that neither the slave-holding nor the non slave-holding districts have a right to disfranchise each other. Having united together, with our institutions, right or wrong, already formed, we are bound to accede to each other all the political rights which the instrument of our union was designed to secure. If the privilege of raising an inhabitant of our own state to the first office in the government is judged an object of desire, certainly no state that can furnish a citizen worthy of the trust, and competent to discharge the duties of that important station, ought to be systematically excluded from the privilege.

As long as the free states can fur-

propensity to act upon it *in earnest*, is too obvious to be easily overlooked.

nish their just proportion of statesmen equally qualified by talents, integrity, and experience, with those of the south, to occupy the presidential chair with advantage to the nation at large, it is a burlesque on the character of our government, to say that it can be safely administered by none but the holders of slaves. We may reasonably demand our share in the honours and profits of office. A just reciprocity requires, that of two candidates equally suitable, the choice should now fall on the northern one. Eight years balanced against thirty-two, do not furnish a just equipoise.

The twelve free states possessed, according to the census of 1820, a free white population of 5,021,800, while the twelve slave-holding states could boast of no more than 2,786,159, a ratio of something more than five to three. Should the former claim the privilege of selecting a president from among their own citizens five terms out of eight, it is not easy to discover upon what reasonable grounds the claim could be resisted. Such a claim, however, never has been, and probably never will be set up, unless the people of the north should be driven, by unjust and unconstitutional combinations in the south, to rise in the majesty of their strength, and assert the claims which justice cannot deny, and which the superiority of their representative, as well as absolute numbers, renders them fully competent to support.

If our representation had been calculated upon the free white population only, allowing, as is now done, a representative to every forty thousand, they would have stood thus: Maine 7, New Hampshire 6, Massachusetts 12, Rhode Island 1, Connecticut 6, Vermont 5, New York 33, New Jersey 6,

Pennsylvania 25, Ohio 14, Indiana 3, Illinois 1, making in the twelve free states 119; Delaware 1, Maryland 6, Virginia 15, North Carolina 10, South Carolina 5, Georgia 4, Alabama 2, Mississippi 1, Louisiana 1, Tennessee 8, Kentucky 10, Missouri 1, comprising an aggregate of 64. Adding the free coloured race, the free and the slave states respectively gain four representatives, Massachusetts, Rhode Island, New York, Pennsylvania, Maryland, Virginia, South Carolina, and Louisiana, each gaining one. Adding the slaves to the free population, Virginia gains six representatives, the two Carolinas and Georgia each three, Maryland and Kentucky each two, Tennessee, Alabama, and Louisiana, each one. Hence we perceive, that the slave population has given to the states where they are held, an addition of twenty-two members in the house of representatives, and consequently an equal addition to the number of presidential electors. No complaint is made of this representation—it is a constitutional provision; but surely the representative of forty thousand freemen is not inferior to the representative of the masters of 66,666 slaves.

Taking the presidential electors as they are at present, the twelve free states furnish 147, and the slave states 114. The next census will probably increase the majority.

DECISION RESPECTING COLOURED SERVANTS.

Commonwealth }  
v. } In Lancaster, Pa.  
David Evans. }

By the Court, Franklin president. This was a habeas corpus to produce the body of Mary Whipper, a black woman, whom the defendant, David

Evans, claimed as his servant till the age of twenty-eight years, being the daughter of his female slave Lucy, and alleged by him to be duly registered according to the act of assembly.

Mary was registered on the 12th of November, 1805, in these words—

“David Evans, of Drumore township, in the county of Lancaster, yeoman, returns Mary, a female negro child, the daughter of Lucy, a female slave, born on the fourteenth day of August, in the year of our Lord one thousand eight hundred and five.”

The objection to the registry is, that the *occupation* or *profession* of the claimant was not stated in the return, as required by the act of the 29th of March, 1788. Two witnesses testified, on the part of the claimant, that they had been acquainted with him for many years, one for fifty, and the other for thirty years, that they had never known him to follow any other occupation than that of a farmer, and that the word *yeoman* is generally understood to denote a *farmer*. On this latter point, the testimony was objected to.

The third section of the act of 29th March, 1788, declares, that all persons who then were, or thereafter should be, possessed of any child or children, born after the 1st of March, 1780, who, by the act of assembly passed on that day, would be liable to serve till the age of twenty-eight years, should deliver or cause to be delivered to the clerk of the peace of the proper county, the name, surname, and occupation or profession, of such possessor, under the pain and penalty of forfeiting and losing all right and title to every such child and children, and of him, her, or their immediately becoming free. The statement of the occupation or profession of him in whose behalf the entry is made, is, therefore, (if he have one,) a particular indispensable to the validity of the entry. By omitting it, the master forfeits all right to the service of the child. If he be without any occupation or profession, it has been decided by the supreme court that he is at liberty to prove it. Here it is in evidence by the claimant himself, that he has an occupation, and it is that of a farmer. But in the return made to the clerk, he is styled *yeoman*,

and no other designation is given. The question, then, is, whether the law has been complied with in this case.

It is very clear to my mind, that, for the reasons urged by Judge Gibson in 3d Sergeant & Rawle, 400, in whatever spirit the act of 1780 should be interpreted, that of 1788 should be *strictly construed*. Its operation was intended to be exclusively for the benefit of the servant registered. In every case of a registry under the latter act, he says, I, for one, should hold the master to a strict and formal execution of every thing enjoined, except where express decision of this court may have established a contrary construction. The servant has nothing to do with either the fraud or mistake of the master, who is to make the registry at his own peril, and if it be not done so as to give the servant the benefit of every thing intended to be secured to him by the act, the master, who is the author of the mischief, and not the servant, should suffer.

Now if *yeoman* be not indicative of an occupation, the entry in the case does not contain all which the act of assembly calls for. In considering the meaning of the term *yeoman*, I place out of view the testimony which was given of the opinion of the witnesses, or of the sense commonly attached to it; for where a word of description is used to which the law affixes a certain sense, evidence is not available to show that by custom or usage, or in common parlance, it bears a meaning different from its legal acceptance, (1 Strange 278.)

The general term *yeoman* is applied by legal authors exclusively to signify the *degree*, *state*, or *condition* of a man in society. It is never used to express his calling, any more than the title *esquire*, which, as Judge Gibson correctly says, denotes no occupation or profession whatever, being bestowed by courtesy on all civil officers, without regard to the nature and variety of their several duties. Yeoman, esquire, and gentleman, are all on the same footing in relation to profession or vocation.

In 2d Institutes, 668, “*yeoman*” is said by Lord Coke to be a Saxon word, (*geuen*), “the *g* being turned in common speech (as is usual in like cases)

into a *y*. In legal understanding, a yeoman is a freeholder, that may dispense forty shillings, (anciently five nobles,) per annum: and he is called *probus et legalis homo*."

He there distinguishes between additions of estate or degree, and those of mystery, &c.; places yeoman among the former, and then speaks of the latter: "Mistier, or mystery," he says, "is a large word, and includeth all lawful arts, trades, and occupations, as taylor, merchant, mercer, husbandman, and the like."

In Blackstone's Table of Precedence, (vol. i. p. 405,) he makes a difference between "yeoman," and "tradesman." After esquires come gentlemen, yeomen, and then tradesmen; and although in this country, happily, no distinction of rank, orders, or classes, has the sanction or countenance of law, yet terms peculiar to the designation of *rank* or *degree*, cannot be made to signify *occupation* or *profession*. No legal authority has been adduced to warrant the use of the word *yeoman* as expressive of *mystery*, *trade*, or *vocation*. Under the act of assembly which authorises the binding of minors to serve as apprentices in any art, mystery, occupation, or labour, there are probably numerous examples of indentures binding minors to learn the art or mystery of a *husbandman* or *farmer*, but I apprehend that no instance can be found of an indenture binding a minor to learn the mystery, occupation, or profession of a *yeoman*, nor can it be pretended, with any show of reason, that such an indenture would be valid.

I am, therefore, of opinion, that the registry is not according to law, and that Mary Whipper is entitled to her discharge.

#### CODE NOIR OF VIRGINIA.

*Extract from the late Message of Governor Giles, to the Legislature of Virginia.*

"Whilst considering the subject of criminal jurisprudence, I find myself impelled, by an impressive sense of duty, to call the attention of the general assembly to the provisions of the laws, which subject free people of colour to slavery, sale, and transportation,

as a punishment for the commission of several different crimes. Without questioning the soundness of the principle of the forfeiture of individual liberty, by the commission of crime—slavery must be admitted to be a punishment of the highest order, and according to every just rule for the apportionment of punishments to crimes, it would seem, ought to be applied to crimes of the highest order; but under the existing laws, in case of free people of colour only, it is extended to several crimes not involving capital punishment. Under these laws, the punishment of slavery is indiscriminately applied to both sexes, whilst the curse of slavery, from its peculiar character, bears with much more severity upon females than male offenders. In the case of male offenders, the punishment dies with the offender. In the case of female offenders, it does not, but it lives, and is visited upon the offspring throughout all generations. The most serious and distressing reflection, however, in the application of the punishment of slavery to female offenders, when extended to the offspring, arises from the circumstance—that the innocent is punished with the guilty. The unoffending offspring is made to participate deeply in the punishment of the offending mother; whilst it participates nothing in her guilt. This seems to me to be incompatible with every principle of morality and justice, and directly repugnant to the just, humane, and liberal policy of Virginia, in the dispensations of criminal justice upon every other occasion. In cases of the sales of slaves under these provisions of the laws, the condition of the bond requiring the purchasers of the convict slaves to cause them to be transported beyond the limits of the United States, is found, in its execution, to be merely colourable. It is believed to be seldom or ever complied with; and from its peculiar character, it would be extremely difficult to enforce a compliance with it by judicial proceedings. It would require the proof of a negative, and that negative of a character too, very difficult to be ascertained. If this provision of the laws should be known to be notoriously disregarded, and no competent remedy adopted against its violation,

it becomes a subject well worthy the consideration of the general assembly, whether the other provisions of the laws in relation to the transportation of convicts comport with the just, frank, and liberal policy towards her sister states, for which Virginia has heretofore been distinguished on all other occasions, and upon which her moral influence in the United States must mainly depend. The transportation of convicted people of colour, as a means of lessening the number in the state, can have but a very limited influence in producing that very desirable effect; certainly too inconsiderable to justify the introduction of unusual punishments, of questionable principle, into our criminal code, directly inconsistent with the mild and humane spirit which characterises every other part of the system. The whole number transported from January 1824 to this time, amounts to only 44. Nor do these laws appear to have had any beneficial effect in the prevention of crimes, since it appears from authentic documents, that twelve were convicted in 1827, whilst eleven were the highest number convicted in any preceding year. It seems but an act of justice to this unfortunate, degraded class of persons, to state that the number of convicts, compared with the whole population, exceeding 35,000, is extremely small, and would serve to show, that even this description of our population is less demoralized than has been generally supposed. From these, and other considerations, I earnestly recommend a review of these provisions of the penal laws to the serious attention of the general assembly, and confidently rely upon its wisdom, justice, and humanity, for remedying the evils, as I think them, if indeed evils they should be deemed by the better judgment of the general assembly. I hope to be indulged for most respectfully recommending, in substitution of the punishment of slavery, sale, and transportation, the propriety of appropriating a separate apartment in our own penitentiary, for the punishment of this most unfortunate description of persons. It seems to me, that a plan might be devised, by which their labour could be made to defray the expenses of their own punishments, for their own crimes.

#### SUMMARY OF RESEARCHES ON THE PHYSICAL NATURE OF MAN.

I have endeavoured to find a solution of the problem, whether in each particular species, both in the animal and vegetable creations, it is probable, that there exists only one stock or family; or whether, in general, it may be supposed to be the method of nature, if such an expression may be allowed, to spread the same species at once over distant countries, from many different centers. This question was investigated by observing the distribution of genera and species over different parts of the earth. From the fact, that plants and animals of each kind have their existence chiefly in tracts, whither they may have wandered, or may have been conveyed by accident, from certain points, the common and original centers, as it would appear, of particular tribes, and are elsewhere scarcely to be found, it was inferred, that the whole number, in each species respectively, has probably descended from a single primitive stock. This inference was strengthened by a consideration of the wonderful means provided by nature, for the extension and dispersion of species; means which appear to be requisite only on such hypothesis. It seemed, on the whole, to result as the most probable conclusion, that Providence thought fit, in the first place, to call into existence only one family, or race, in each particular kind, and did not at once diffuse it over the world, from a variety of different origins.

This fact being established with respect to organized beings in general, it remained to inquire, whether there are among mankind any specific diversities, or any physical differences, of such a description, that they may be looked upon as original characters, and therefore as constituting distinct species. If this question be determined in the affirmative, it obviously results, that men are of more than one original family; but if in the negative, it must be concluded, that all mankind are, according to the law already shown to exist throughout the organized world, descended from a single stock.

In the first place, the different methods of determining the limits of spe-

cies, and of discovering what races are of the same, and what of distinct species were pointed out. It was observed, that there are four methods of examining this question, each of which is capable of elucidating it more or less. The first or what may be termed the physiological method, is founded on a comparison of the principal facts relating to the animal economy, or physiological character of the tribes to be considered; such as the term or duration of life proper to each kind, the circumstances connected with their breeding, the number of progeny, the laws of the natural functions, the diseases to which each tribe is obnoxious, and the character of its faculties, instincts, and habits. If in all these circumstances, in respect to which strongly marked differences occur between species very nearly resembling each other in outward form, no material difference can be found to exist between any two races which are the subjects of comparison, a probable argument results for concluding them to be of one species. A second criterion for determining the unity or diversity of species, has been sought by many naturalists in the fertility or sterility of the animal which is the mixed progeny of two races. The validity of this criterion has been called in question, and it seems that in some instances, hybrid animals, properly so called, are capable of continuing their race. Yet there is evidently in nature, a principle, by which the casual intermixture of species is guarded against. On this point, it may suffice to observe, that on applying both of these two first methods of inquiry to the particular instance under consideration, the result seemed clearly to be, that, as far as the evidence derived from these sources extends, we have no reason to believe that there is more than one species of human beings in existence.

A third method of inquiry is, the analogical, or comparative. It is resolved into the question, whether the particular diversities we have to account for are analogous to those deviations from a common type, which are known to make their appearance as varieties in the progeny of a single race. When this appears, after due investigation, it is fair to conclude, that such diversities

are analogous in their nature, or resolvable into the same class of natural phenomena. This inquiry, in respect to the most remarkable varieties in the form, structure, and other peculiarities which occur in mankind, has been pursued, and the conclusion which resulted was, that the diversities which are known in mankind are, in the most important particulars, similar in kind to the natural varieties discovered in other species of animals, and, therefore, as far as we can rely upon an inference drawn from analogy, they afford no reason for supposing that there is more than one species of man.

It was observed, that the probable inference deduced from the comparison of parallel or analogous phenomena would be very much confirmed, if it should appear on investigation, that varieties, such as those which are the subject of discussion, do in reality take place in particular races of men, and originate in the progeny of the same stock. And this brings us to the fourth part of our inquiry. We have examined the history of the different races of men, and have taken notice of the instances in the variety in form and complexion, which appear to have arisen from the same stock, and of the most remarkable differences in physical character, which exist among tribes nearly allied to each other in kindred. In the course of this inquiry, we have seen that certain deviations display themselves at once in strongly marked examples, some striking phenomena of complexion or figure appearing in the immediate offspring of races, or families, in which they had been before unknown. In other instances such variations take place by slow and imperceptible degrees. It appeared from the whole of this examination, that there is no clearly traced and definite line, which the tendency to variety or deviation cannot pass, and therefore no specific distinction. The character of one race passes into that of another, and this not merely in the sense often attached to such an expression, implying the want of any exact limit between them, but by actual deviation and transition. Even within the limits of one particular race, it is sometimes possible to point out a wide range of varieties, and in some instances it may



be shown, that the most different complexions, and the greatest diversities of figure known to exist, are to be found among tribes which appear to belong to the same nation, or family of nations.

These conclusions have resulted from a survey of the physical history of the most extensively spread nations, and, indeed, of all the principal departments of mankind. The various races, constituting the population of Africa, were first surveyed; then the different nations scattered throughout the Austral countries, and the islands of the Indian ocean; afterwards the several branches of the Indo-European stock, including the nations of India, and some other parts of upper Asia, and most of the countries of Europe. Next to these followed the Semitic or Palæ-Syrian nations. A survey of the races of people near the chain of Caucasus, prepared us for passing over this limit, and proceeding to the northern and eastern nations of Asia: this part of the work was closed with an account of the native or aboriginal inhabitants of America. In all these several divisions of the human family, important physical diversities were shown to have arisen, and in each of them remarkable approximations to the character prevalent in other tribes.

On the whole, it appears that the information deduced from this fourth method of inquiry, is as satisfactory as we could expect, and is sufficient to confirm, and, indeed, by itself to establish the inference, that the human kind contains but one species; and therefore, by a second inference, but one race.

It will, I apprehend, be allowed by those who have attentively followed this investigation of particulars, that the diversities in physical character belonging to different races, present no material obstacle to the opinion, that all nations sprang from one original, a result that plainly follows from the foregoing considerations. The formation of whole nations, or of separate tribes, distinguished by some particular traits from others who are supposed to be of the same kindred, is a subject which appears to present some difficulty, but this is, perhaps, not insu-

perable. We have examples of such peculiarities becoming common to a whole nation, and may account for the fact in either of two ways. A whole tribe appears, in some instances, to have deviated from its original character, or to have become distinguished from another branch of the same race, as the Gothic nations are distinguished from the Persians, and these again from the Hindoos; or as one of the Tshude, or Finnish race, is distinguished from others. These differences must, as it should appear, have taken place subsequently to the separation of great hordes or tribes, from each other. In other instances, it may have happened that a new stock has sprung from a few individuals, who happened themselves to be characterized by some peculiarities; such peculiarities may have been transmitted by the parents to their offspring, and by subsequent increase and multiplication of a family, may have become the prevalent character of a whole tribe or nation.

PRICHARD.

From Pringle's African Sketches.

#### THE LION AND THE CAMELOPARD.

Wouldst thou view the lion's den?  
Search afar from haunts of men,  
Where the reed-encircled fountain  
Oozes from the rocky mountain;  
By its verdure far deserted,  
Mid the desert brown and wide.  
Close beside the sedgy brim,  
Couchant lurks the lion grim;  
Waiting till the close of day,  
Brings again the destined prey.  
Heedless, at the ambushed brink,  
The tall giraffe stoops down to drink;  
Upon him straight the savage springs  
With cruel joy; the desert rings  
With clanging sound of desperate strife,  
For the prey is strong, and strives for life.  
Plunging oft, with frantic bound,  
To shake the tyrant to the ground,  
Then bursts like whirlwind through the waste,  
In hope to 'scape by headlong haste.  
In vain! the spoiler on his prize  
Rides proudly, tearing as he flies.  
For life—the victim's utmost speed  
Is mustered in this hour of need.  
For life, for life, his giant might  
He strains, and pours his soul in flight;  
And mad with terror, thirst, and pain,  
Spurns with wild hoof the thundering plain.  
'Tis vain; the thirsty sands are drinking  
His streaming blood; his strength is sinking;  
The victor's fangs are in his veins,  
His flanks are streaked with sanguine stains,  
His panting breast in foam and gore  
Is bathed; he reels; his race is o'er;  
He falls, and with convulsive throes,  
Resigns his throat to the raging foe,  
Who revels amidst his dying moans,  
While, gathering round to pick his bones,  
The vultures watch in gaunt array,  
Till the proud monarch quits his prey.

THE

# African Observer.

THIRD MONTH, 1828.

NEGRO SLAVERY.

*(Continued from page 330.)*

THE next inquiry which this subject suggests is, what are the consequences, moral and political, which must necessarily result from the practice of holding the people of colour in perpetual and hereditary slavery?

This inquiry might furnish matter for a volume. The consequences are so awful, and weave themselves into so many of the relations of society, that their full development would require much ampler space than the columns of a periodical journal can possibly afford. History, philosophy, and political economy might be successfully invoked for their contributions to this momentous work. The author of these essays must, however, be content to glean his observations from life's common field. And even within this field, a large part of the ground has been pre-occupied by the translations from Sismondi, published in the preceding numbers.

Nothing can more powerfully contribute to the happiness of a nation,  
Vol. I. — 46

and the stability of governments, than the general prevalence of good morals.

For forms of government let fools contest—  
Whatever is best administered is best.

Without adopting the sentiment of the poet to its fullest extent, we may very safely admit, that the *form* is of little importance, except as it tends to secure a just and salutary administration. The checks of government, however prudently adjusted, are unavoidably weakened by a relaxed or dissolute state of public morals. And the greater the freedom guaranteed by the government to its individual members, the greater is the importance of general morality. The strong arm of despotism may often suppress the disorders originating in the unbridled passions of a ruthless populace, though the same disorders would present a formidable front to the ministers of mild and well defined laws. Indeed, political freedom is scarcely compatible with the general dissolution of

morals. Foreign aggression may be repelled by military force; but domestic tranquillity can be secured only by the freezing influence of despotic power, or the commanding energy of public opinion.

Free governments, without national virtue, naturally run into anarchy; and anarchy as naturally ends in despotism. The people, harassed with the disorders of anarchy, or which is nearly if not entirely the same thing, the domination of factions, naturally seek repose in the unbridled authority of a single ruler.\* The people of Israel, when they requested a king to reign over them, manifested, not only by the request, but by the disorders which led to it, their own deep-seated depravity. The prophet was commanded to grant their request, at the time that he expostulated with them on its impiety. This apparent inconsistency is easily explained by considering the transaction as an evidence that the people were too much depraved to maintain a more liberal government. The loss of liberty among the Greeks and Romans is to be attributed less to the ambition of their leaders, than to the vices of the people.

National morality can scarcely be preserved in the total absence of general religion. Morality is supported by public opinion. It has no fixed basis of its own; nor any permanent standard by which it is to be estimated. Religion is the true and original basis of morals: As genuine religion advances or recedes, the standard of morality must rise or fall. In every age and nation, the substantially pious are the *salt of the earth*. They give a tone and direction to public opinion; they

support and exalt the standard of morality, and preserve from corruption the less considerate portion of the community.†

That evils of any description, when once admitted into the practice of individuals or the institutions of society, naturally pave the way for the admission of others of a deeper shade, is a truth too well attested by experience to require demonstration. The hedge of virtue being any where broken, the intrusion of a *solitary* vice is not to be expected.

If, then, slavery is admitted to be radically unjust, the inference, upon general principles, would be, that its presence must be adverse to the maintenance of morality and virtue. A system originally founded on violence and wrong, cannot be interwoven with the national institutions, without endangering, to a greater or less extent, the national morals. The inference can be but partially averted by the reflection, that the slavery of our time was not the work of the present generation. An institution which could not be formed without the blackest guilt, can hardly be maintained with perfect innocence. If those individuals who were originally seized on the African shore, and consigned to slavery in the

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† Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principles.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?—*Washington's Farewell Address*.

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\* Washington's Farewell Address,

western world, and the immediate authors of their captivity were now alive, and the authority thus obtained had never been transferred, there would be little doubt whether justice would permit the continuance of the unnatural relation. Any repentance on the part of the original aggressors for the injury inflicted, would obtain but little credit while the prize was retained. "Can one be pardoned and retain the offence?" The *degree* of criminality is doubtless very different in the case of successors; yet the nature of the aggression cannot be completely changed, except by a change of the resulting relation.

Far be it from me to assert, that every person who holds slaves is on that account a criminal. No man can be accountable for evils, in the production of which he has had no agency, and over which he has no control. The system has been the growth of ages, and must probably require ages for its utter extinction. But it is of serious importance that we remember, that if we allow the unjust deeds of our fathers, we partake of their guilt. Probably few instances can be found which more forcibly illustrate the declaration that the sins of the fathers are visited on the children to the third and fourth generation, than the case before us. A heavy load has been entailed on the present generation, and the path of virtue rendered more difficult by the habits and institutions with which we are surrounded. What unsophisticated justice demands, our habits and prejudices sternly oppose.

If the slavery of a part of our species cannot be defended upon general principles, but in its first establishment was an obvious violation of natural law; if every man is justly entitled to

his freedom until he forfeits it by his crimes; if an unjust and oppressive institution cannot be innocently maintained; it is difficult to avert the conclusion, that our duty requires the extinction of slavery as speedily as the circumstances of the community can possibly admit. If the system has degraded its victims, and enervated its supporters to such an extent as to forbid a sudden change of the existing relation, we cannot innocently neglect the proper means of preparation for a safe and salutary change. To plead the degradation of the slaves as a reason for their detention in servitude, and at the same time to oppose their improvement, is to plead one crime in extenuation of another; to deny to the coloured race the common rights of humanity, because they are not more than human. Human beings are, in great measure, moulded by the circumstances in which they are placed, and rise or fall in the scale of moral and intellectual refinement, according as their condition in life is favourable or adverse to improvement.

If the claim of every human being to the common privileges of the race, until they have been clearly forfeited by crimes against the community, is undeniable; and if the forfeiture of those privileges by the slaves in our country cannot be proved; and if the reasons for continuing the system are founded on a timid and questionable policy; it follows, that even the temporary maintenance of this system is at best of very doubtful morality.

We should conclude, from the nature of the case, without looking into the world for facts, and without attempting a comparison between slave-holding and non slave-holding communities, that the former would be generally

less attentive to the duties of religion than the latter, and that the general standard of morals would suffer a correspondent depression.

Adverting then to the acknowledged effect of religion and morals upon the stability of governments, a people so jealous of their liberty and so proud of their political fabric as the inhabitants of the United States, might well view the system of negro slavery with extreme suspicion. They might very justly fear that the fabric of our government would be weakened and eventually overthrown by a system so adverse to the growth of those principles upon which our republican institutions must essentially depend.

If we examine the specific operation of slavery, we still find ample reason to deplore its existence. The first effect of this system is to establish an invidious and degrading distinction between the different classes of the community. However complete the equality between the individual members of either class may be, the free, compared with the bond, constitute a privileged order. A patrician and a plebeian rank are formed: This powerfully tends to destroy or suppress a sense of the natural equality of man. Adventitious circumstances, instead of virtue and wisdom, become the basis of honour. A member of the privileged order, how low soever he may sink in the moral scale, has his pride sustained by the conviction that a numerous class is still below him. The member of the inferior order finds the energies of his nature cramped by his servile condition. No exertion of his physical or intellectual powers can place him on a level with his more favoured compatriots. Hence pride and contempt on the one side, and envy and aversion on the other,

are equally inimical to the virtue of both. It is true, these general results are occasionally modified by particular causes. Humanity on the one hand, and fidelity on the other, may produce sincere attachments between the master and slave. But these are only exceptions to the general law, and not a part of it. Instances of fidelity and attachment have occurred in persons of servile condition, which the nobler class might be proud to emulate. If the instances of tender attachment have been mostly on the side of the slave, it merely proves that a humble station is more congenial than an exalted one to the growth of the milder virtues. They no more disprove the unfavourable tendency of these degrading distinctions, than the cases of generosity and gratitude which are sometimes found to spring up amidst the strife of spears, between the aggressors and the aggrieved, disprove the excitement of the malignant passions by a state of war.

That such is in reality the effect of slavery on the two classes who breathe its atmosphere, may be inferred from the general character of the laws in slave-holding districts. In popular governments, the laws are the index of public opinion,—an index, it must be acknowledged, which is sometimes rather behind its moving power. The general character of the laws in relation to slaves, both in our own country and in the British West Indies, has been already shown. It appears impossible to account for many of the existing statutes, without admitting the contempt for the servile class which has been attributed to the superior grade. Nor can we readily acquit the legislators of wanton cruelty, unless we suppose that the malignant passions

predominant among the slaves, indicate the necessity of energetic restraints. The impression produced by a perusal of those laws would be, that the masters and slaves are in a state of perpetual hostility, and that subordination must be preserved by military rather than civil authority. To suppose, as we are sometimes invited to do, that the slaves are a happy people, content with their condition, and sincerely attached to their masters, would be to imagine that the masters had framed and continued to support, a system of opprobrious laws to grind down a peaceful and unoffending race; would be to attribute to the slave-holding legislatures a degree of wanton cruelty, which ought not to be charged upon them without the clearest evidence, and for which it is believed no adequate testimony can be produced. On the other hand, to suppose the laws for the government of slaves all dictated by a just and liberal policy, would be to suppose that the slaves were almost perpetually plotting the destruction of their masters. The truth unquestionably lies between these extremes. This medium appears to be, that the moral qualities of both classes are deteriorated by slavery.

As virtue is essential to the maintenance of a republican government, so on the other hand, the equality of republicanism is favourable to virtue. When men move among their equals, the malignant passions are held under habitual restraint, and the milder virtues are cultivated from necessity as well as choice. But power without accountability is prone to corrupt the possessor. Few persons are possessed of virtue sufficiently firm to be safely trusted with it. Slavery, under every form of government, supports an aris-

tocracy. It gives to the master a power without the proper checks, and feeds all the passions which spring from unbridled authority. The portrait of slavery drawn by an eminent writer, who was himself a slave-holder, though often cited, lies too directly in my road to be overlooked. "There must be an unhappy influence on the manners of the people, produced by the existence of slavery among us. The whole commerce between master and slave is a perpetual exercise of the most boisterous passions; the most unremitting despotism on the one part, and degrading submissions on the other. Our children see this and learn to imitate it. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circles of smaller slaves, gives loose to the worst of passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his morals undepraved by such circumstances."\*

Admitting this picture to be even partially correct, we must be convinced that such an education must be highly injurious to the youth belonging to the magisterial class; and that this state of abject dependence, and servile submission, is scarcely compatible with the growth of independent virtue. Whether our political freedom can be long preserved within the sphere of such a system, is a question for politicians to answer. It is certainly of vital importance, that the principles, as well as the form, should be preserved, if we expect the fabric to stand. Slavery cannot be wrought into the

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\* Jefferson's Notes on Virginia, p. 241.

structure of a republican government, without destroying its symmetry, and endangering its permanence.

If we inquire what is the actual state of religion and morals in districts where slavery is predominant, we shall find our previous conclusions corroborated. To institute a comparison between the opposite sections of our own country, might, perhaps, appear invidious; I shall therefore look to a more distant quarter. Bryan Edwards, the historian so frequently quoted in the preceding numbers, notes as one of the peculiarities of the West Indians, an eagerness for litigation and juridical controversy, which he says remarkably predominates in most of those islands; certainly no flattering description from the pen of an advocate. But upon a point much more closely allied to the peace of society, and the virtues of domestic life, we have, from the pages of the same writer, an account of the general condition in which the females of mixed blood are *kept*, which presents a sombre view of the prevailing morals.\* Thomas Cooper, a clergyman of the established church, who went to Jamaica in 1817, for the purpose of instructing the slaves in the doctrines of Christianity, declares, that "the state of morals and religion there is as bad as can well be imagined, both among whites and blacks. The general profligacy is perfectly notorious and undisguised. It is well known that the morals of nineteen out of twenty white men are ruined before they have been a month in the island. They get into habits of debauchery, and every idea of religion vanishes."†

\* Vol. ii. p. 10.

† Facts illustrative of the condition of Slaves in Jamaica, p. 9.

"Even the clergy," says he, "in some instances, fall into this horrid impurity of manners, and that, too, without being expelled from their situations in the church. Many persons in Jamaica seem to think that the mere circumstance of vice being common, renders the practice of it almost if not altogether excusable. The plea is, I am not worse than my neighbour; I only do that which is common to all classes of the community. Serious attention to religion is out of the question. Persons who are received into the best society of the place, speak of having been drunk, and getting drunk, without apparently feeling any sense of shame. All this applies to the whites, and I have advanced it merely with a view to show the necessity of some efficient steps being taken to reform the manners of this branch of our fellow subjects; and to warn parents and others from sending their innocent sons and wards across the Atlantic to be plunged into this dreadful sink of vice and abomination."‡ "The demoralizing influence of the slave system ought to be deemed a most important argument for its destruction, especially when there seems no reason whatever to imagine that it can ever be made to coexist with true religion and virtue." "It might be stated as a fact, that he that wishes to form a complete idea of the immoral influence of colonial slavery upon society, must not be contented with reading on the subject, but must go and see for himself."§

In regard to the slaves and free coloured persons, it is observed, that "they regard the whites as a superior species, and are therefore flattered by any attentions from them. Hence in

‡ Page 37.

§ Page 39.

the estimation of their own community, that is to them an honour, which in a moral respect ought to be viewed with abhorrence. Slavery sinks them below the condition of women, and to slavery a great part of their immoralities must be imputed. Persons who pride themselves on the superiority of their natures, their liberty, their power, their education, ought to blush for the mean and unmanly advantage which *they never fail to take* of the helpless and miserable beings whom despotism has placed in their power."

Dr. Williamson, an advocate of the slave system, who resided in Jamaica from 1798 to 1812, gives a description of religion and morals little more favourable than that of Thomas Cooper. "Contempt for religion," says he, "is openly avowed by a great proportion of those to be met with in that country."\* His account of the prevailing morals is too gross for insertion in the columns of this journal.

Religion and morals being poisoned in the fountain, we should naturally expect that even the forms of religion would be very generally disregarded; we accordingly find that the day usually set apart professedly at least for devotion, is in the islands the market day for the slaves. If we are to believe the uncontradicted statements so repeatedly made, that a large part of the vegetables and small meat used by the planters is bought of the slaves, it must be obvious that the market day of the slaves must be a day of business for others. In a late report of the bishop of Barbadoes to Lord Bathurst, we find it asserted, that "the parishes in the interior are absolutely without the

semblance of the forms of religious worship."†

If we suppose, as the cool calculating reader will probably do, that these pictures are somewhat overwrought, we can hardly fail to conclude, that religion and morals are sunk very low in the places to which these descriptions were intended to apply. Indeed, almost every one who has undertaken to describe the state of morals among slave-holding communities, has represented a shameless licentiousness as one of the most prominent features. To this our own southern states cannot be marked as an exception. Morris Birbeck remarks, "Perhaps it is in its degrading influence on the moral senses of both master and slave, that slavery is most deplorable. Brutal cruelty, we may hope, is a rare and transient mischief; but the degradation of soul is universal. All America is now suffering in morals, through the baneful influence of negro slavery, partially tolerated, corrupting justice at the very source."

Little more than four years have elapsed since a chapel in the island of Barbadoes, occupied by William Shrewsbury, a Wesleyan minister, was demolished with circumstances of notoriety and brutal ferocity which speak very unfavourably of the prevailing morals of the place. The object of vengeance appears to have been a man of blameless life, remarkably cautious of giving offence, and much beloved by the congregation who received his instructions. He had been selected by the Wesleyan missionary society, to engage in the difficult task of teaching the negroes in the truths of Christian-

\* Medical Observations, &c. vol. i. p. 328.

† Anti-Slavery Monthly Reporter for June 1826, p. 196.



ity. To this object he had assiduously devoted himself for several years. But an impression having in some way obtained, that his doctrines, or those of the society to which he belonged, were less congenial to the legal or political maxims of the slave-holders than they desired, the floodgates of popular indignation were at once opened upon him. Several riots were made, in which the rioters were encouraged if not actually joined by the magistrates entrusted with the preservation of the public peace. During the time of worship, the assembly who attended upon his ministry were several times rudely assaulted, and finally a large concourse assembled and demolished the building, not leaving, as they afterwards insultingly declared, one stone upon another. The worthy minister fled for his life, and sought an asylum in a neighbouring island. The process was of sufficient duration and notoriety to allow ample opportunity for the interference of the civil authorities; but the magistrates permitted the work of destruction to proceed without molestation. When the governor soon afterwards issued his proclamation offering a reward for the discovery and conviction of the offenders, a counter proclamation was fulminated against all those who should dare to make the disclosures required. In this it was asserted, that the majority of the persons engaged in the demolition of the chapel were of the first respectability, and had the concurrence of nine-tenths of the community. The professed object was, the eradication of methodism from the island; and accordingly, all methodist preachers were warned, at their peril, not to approach their shores. When the governor saw this proclamation, he asked his council what he

should do? to which they replied, "Nothing at all;" and accordingly nothing was done.\*

If slavery is found to be unfavourable to religion and morality, we may rest assured that its influence is equally deleterious, both directly and indirectly, to the growth of national wealth.

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PROGRESS OF DISCOVERIES IN AFRICA.

(Continued from page 307.)

Discoveries during the middle ages.

The rise of the Mahometan power, and the vast hordes of Saracen invaders which poured into Africa, caused a complete revolution in the moral and political aspect of that continent. This revolution, of which the ultimate effect was to extinguish all the intelligence, activity, and civilization, by which it had been illustrated, showed at first a completely opposite tendency. The caliphate was held during several ages, by a race of monarchs who rank among the most accomplished by whom any throne has been filled; the arts of peace were perfected even in the bosom of war, and the nations placed under their rule, cherished, almost alone, the lights of science, which were fast expiring in every other region. The migratory spirit of this celebrated people, their commercial habits, their zeal in the pursuit of geographical science, all impelled them to direct their steps into the yet unknown regions of interior Africa. The desert, that barrier which deterred all former approach, appeared less formidable to an Arabian explorer. It recalled to him the image of his native country, where he had long been familiar with every expedient by which such an expanse could be traversed in safety. The camel, transported into a congenial soil, afforded the means not only of effecting a passage once for the purpose of discovery, but of establishing a regular and constant communication across it. The first route appears to have been from Fezzan by way of Agades, being the one still followed by the Cassina

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\* Account of Proceedings in H. Com. June 23, 1825.

caravan. The passage is less difficult at this than any other point; the immense breadth of the desert being broken by the large oases of Fezzan and Agades, and by several others of less magnitude. After passing it, they found a shore, whose fertility and beauty were probably much heightened in their view by the length of the dreary approach to it. But the eyes of this commercial people were peculiarly attracted by a commodity which, precious in itself, has always been much over-rated in the opinions of mankind. From the regions immediately to the south, was brought in abundance gold, not disguised in chemical combinations, which could be discovered only by genius and labour; but ready pure, and separated, by a simple mechanical process, from the sand with which it was mingled. A splendour, partly real and partly imaginary, was thus thrown around this region, which, in the unsettled state of northern Africa, attracted numerous colonists towards it. Compulsory exile has always been a powerful instrument in peopling the globe. Those who fled before the arms of the Saracens, and those who were worsted in the intestine divisions which shook the caliphate, alike sought refuge and settlements in the depth of the interior. The precise period of these emigrations cannot be distinctly traced; but it is unquestionable, that, by the tenth or eleventh century, the banks of the Niger were covered with kingdoms, in which Mahometans formed a numerous, and the ruling part of the population. Of these kingdoms, according to the unanimous testimony of the Arabian writers, the most powerful and splendid was Ghana, situated on the great central river, called by them the Nile of the Negroes. The sovereign was absolute within his own territories, and owed homage only to the head of the Abbassides. The pomp of his court was the admiration of the age; and appears certainly to have been accompanied with a degree of art and civilization, which scarcely any other negro kingdom has yet attained. The palace, built on the banks of the river, besides being of a peculiarly solid structure, and having the luxury, little known in those regions, of glass windows, was adorned with elaborate

works of painting and sculpture. Tamed elephants and camelopardales are mentioned as among the accompaniments which swelled the pomp of the sovereign's equipage. The circumstance, however, which was considered as distinguishing him above all other African potentates, was a mass of native gold, weighing thirty pounds, which formed the ornament of his throne. Notwithstanding this splendour of the court, the nation, in general, appears to have been characterized by simplicity, and even by rudeness. The common people wore merely a girdle, composed frequently of the skins of beasts; and it was considered as indicating a superior rank to have any further covering.

To the sovereign of Ghana was also subject Wangara, or the land of gold, considered, probably, as the brightest jewel in his crown. The gold here, as over all the rest of Africa, is represented as entirely alluvial, and found chiefly in the beds of the rivers, or inundated ground after the water has retired. Wangara is represented as formed into a species of island by branches of the Nile, which surround it on all sides, and which, overflowing during the rainy season, lay nearly the whole country under water. As soon as the inundation subsides, the inhabitants are described as rushing with eagerness, and digging up the earth, in every part of which they find a greater or less quantity of gold. Immediately after arrive the merchants from every part of Africa, to exchange their various commodities against this single one. The principal cities of Wangara were Reghebil and Semegonda, both handsome, and situated on the shore of large fresh water lakes. To the west of Ghana lay the kingdom of Tocur, including the capital city of the same name, with those of Sala and Berissa. The monarch is said to have been also very powerful, and his dominions the seat of an extensive commerce, but in both these particulars yielding to Ghana. This kingdom was also traversed by the Nile of the Negroes, which, after flowing fifteen days journey westward from Tocur and Sala, fell into the sea, or more probably into a large lake. At some distance from its shore, was found the

island of Ulil, which afforded salt so abundantly as to supply all the states of Nigritia; those states being then, as now, wholly destitute of that necessary of life. To the south of all these countries lay the extensive regions of Lamlam, (supposed the Melli of Leo). Great part of it was a desert; the rest inhabited by people who were little removed from savages. This tract afforded to the people of the Niger a theatre for the barbarous practice of slave hunting. Inroads were habitually made for that sole purpose; and the victims procured became an article of traffic with northern Africa. There is reason to suspect, that the same practice continues undiminished over all this part of the continent. Edrisi was not acquainted with any inhabited regions to the south of Lamlam, and doubts even if any such existed. The empire of Bornou is not mentioned in any of the Arabian writers by that name; but different portions of it appear evidently to be described under the appellation of Zaghara, Kanem, and Kuku. Of these Kuku appears to have been decidedly the most powerful and splendid. The king kept a numerous army finely equipped, and the splendour of his court eclipsed every thing in that part of Africa. The lower orders, as usual in negro states, were very indifferently clothed; but the merchants, who were numerous, wore vests, tunics, caps on their heads, and ornaments of gold. The nobility are said to have been clothed in satin. The capital city of the same name was celebrated among the negroes for its extraordinary magnitude.

As the Arabs extended themselves westward through Barbary, they opened always new routes across the desert; and when Morocco became the seat of their principal power, Segelmessa was in consequence the emporium of the commerce of Nigritia. Another territory, called Vauclan, situated apparently to the south of Morocco, carried on a very extensive trade; and its merchants went as far as Wangara in search of gold. The only parts of the interior on which the Arabs made no impression, were Nubia and Abyssinia. These countries, in the twelfth and thirteenth centuries, continued still Christian, and were therefore in a state

of habitual enmity with the Saracen powers. Only, the necessities of trade produced a species of truce on the frontiers of Egypt and Nubia. The merchants of the respective nations met near the cataracts of Syene, and made an exchange of their respective commodities, without entering each other's territories.

Between the narrative of the Arabian geographers, and the discoveries of modern travellers and navigators, the link is formed by a celebrated description of Africa, written by a person bearing the appellation of Leo Africanus. He was born at Granada; but when that city was besieged and taken by Ferdinand,\* sought refuge in Fez, and devoted himself wholly to Arabic literature: Partly as a traveller, and partly as an ambassador, he traversed a great part of Africa, and composed, in Arabic, the description of that continent, which still renders his name celebrated. Lastly, being taken prisoner and brought to Rome, he attracted the notice of Leo X., who proved himself the patron of every liberal art and science. Under the auspices of this pontiff, Leo made a translation of his work into Italian, which has been reprinted by Ramusio in his collection of voyages. Having been an eye witness to most of the scenes which he describes, his work forms the only original authority for the state of northern and united Africa during the period at which he wrote. Where personal observation failed, he unfortunately had recourse to very blundering and erroneous compilation. The coincidence, however, in many respects, of his report with the best modern information, leaves no doubt as to its original character; so that it throws an important light, both on the progress of knowledge, and the changes in the political aspect of this continent.

It appears, that in the interval between the Arabian writers and Leo, some very important changes had taken place. Ghana, mentioned under the name of Cano, no longer held the

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\* Granada was taken by Ferdinand and Isabella in 1492. Leo X. ascended the papal throne in 1513.

supremacy among the states of the Niger, but had become subject to the kingdom of Tombuctoo. Wangara, called Guangara, had become an independent kingdom, the sovereign of which maintained a considerable army. The gold for which this region is so celebrated, is represented by Leo as found not within itself, but in mountains to the south. Bornou is described under its modern name; also Cassina, under the name of Casena, though it does not appear to have then occupied that high place among the African states which it afterwards attained. But the most remarkable change is the foundation of the kingdom of Tombuctoo, called here Tombuto, which took place in the year of the Hegira 610 (A. D. 1215). Ischia, one of its early sovereigns, appears to have been a most warlike and powerful monarch, and had subjected and rendered tributary all the surrounding kingdoms, among which were Ghinea or Genni, Melli, Casena, Guber, Zanfara, and Cano. The city itself does not appear to have been very splendid. The houses were built in the form of bells; the walls of stakes or hurdles, plastered over with clay, and the roofs of reeds interwoven together. One mosque, however, and the royal palace, were built of stone; the latter by an artist brought from Granada. Cotton cloth was worn in great quantity. The merchants were extremely rich; and the king had married his daughters to two of their number. The inhabitants were copiously supplied with water; that of the Niger, when it overflowed, being conveyed into it by sluices. The country round abounded with corn, cattle, and all the necessities of life, except salt, which was brought from Tegazza, situated at the distance of 500 miles, which was held so valuable, that Leo had seen a camel's load sold for 80 ducats. The king had a splendid court, and many ornaments of gold, some of which weighed 1300 ounces. He maintained also 300 horsemen, and a numerous infantry; many of whom were in the habit of using poisoned arrows. Horses were not bred, but imported from Barbary, and eagerly sought after; so that the king, when any number arrived, insisted on making a selection for himself, paying, how-

ever a handsome price. Manuscripts are particularly mentioned, not only as one of the imports from Barbary, but as bringing more money than any other commodity. The inhabitants were mild and gentle, and spent a great part of the night in singing and dancing. The town was extremely exposed to fire, and our author had known half of it consumed in the space of five hours. The religion was Mahometan, but the intolerance, so strongly reported in modern times, is mentioned only in regard to the Jews, who are said to have been most rigorously excluded.

Cabra was a town similarly built, but smaller. It was situated on the Niger, at twelve miles from Tombuctoo, and was the port from whence the merchants sailed for Ghinea and Melli. Ghinea, or Genni, is described as an extensive country, 500 miles in length and 250 in breadth, extending along the Niger till that river fell into the ocean. The country was very fertile, particularly in cotton; the manufacture of which formed the main staple of its trade. During the months of July, August, and September, it is completely overflowed by the branches of the Niger, which surround it in the manner of an island. At that time the merchants of Tombuctoo conveyed their commodities in small canoes made of a single tree. These they rowed during the day, then fastening them to the shore, spent the night on land. At the time Leo wrote, this country also had been conquered by Ischia, king of Tombuctoo. To the south of it lay Melli, upon a river which fell into the Niger. It is described as also fertile, abounding in merchants and artificers, who enjoyed a great degree of opulence. The inhabitants were the first who embraced the religion of Mahomet, and were superior to all other negroes in wit, civility, and industry. To the north of Ghinea was Gualata, probably Walet, which is represented to have been at one time the centre of the Mahometan power in Africa, and the chief resort of the Barbary merchants. But after the foundation of Tombuctoo, the happier situation of that city enabled it to carry off all this trade, and Gualata ended, like all the neighbouring kingdoms, in becoming tributary to Ischia.

LEYDEN.

## ADDRESS

*Of the Colonists at Monrovia to the Free People of Colour in the United States.*

September 4th, 1827.

As much speculation and uncertainty continues to prevail among the people of colour in the United States, respecting our situation and prospects in Africa; and many misrepresentations have been put in circulation there, of a nature slanderous to us, and in their effects injurious to them; we feel it our duty, by a true statement of our circumstances, to endeavour to correct them.

The first consideration which caused our voluntary removal to this country, and the object which we still regard with the deepest concern, is liberty—liberty, in the sober, simple, but complete sense of the word—not a licentious liberty—nor a liberty without government—or which should place us without the restraint of salutary laws. But that liberty of speech, action, and conscience, which distinguishes the free, enfranchised citizens of a free state. We did not enjoy that freedom in our native country; and from causes, which, as respects ourselves, we shall soon forget for ever, we were certain it was not there attainable for ourselves or our children. This, then, being the first object of our pursuit in coming to Africa, is probably the first subject on which you will ask for information. And we must truly declare to you, that our expectations and hopes in this respect have been realized. Our constitution secures to us, so far as our condition allows, “all the rights and privileges enjoyed by the citizens of the United States;” and these rights, and these privileges are ours. We are proprietors of the soil we live on; and possess the rights of freeholders. Our suffrages, and, what is of more importance, our sentiments and our opinions, have their due weight in the government we live under. Our laws are altogether our own; they grew out of our circumstances; are framed for our exclusive benefit, and administered either by officers of our own appointment, or such as possess our confidence. We have a judiciary, chosen from among ourselves; we serve as jurors in the trial of others; and are liable to

be tried only by juries of our fellow-citizens ourselves. We have all that is meant by *liberty of conscience*. The time and mode of worshipping God, as prescribed in his word, and dictated by our conscience, we are not only free to follow, but are protected in following.

Forming a community of our own in the land of our forefathers, having the commerce, and soil, and resources of the country at our disposal; we know nothing of that debasing inferiority with which our very colour stamped us in America; there is nothing here to create the feeling on our part—nothing to cherish the feeling of superiority in the minds of foreigners who visit us. It is this moral emancipation—this liberation of the mind from worse than iron fetters, that repays us, ten thousand times over, for all that it has cost us, and makes us grateful to God and our American patrons for the happy change which has taken place in our situation. We are not so self-complacent as to rest satisfied with our improvement, either as regards our minds or our circumstances. We do not expect to remain stationary. Far from it. But we certainly feel ourselves, for the first time, in a state to improve either to any purpose. The burden is gone from our shoulders; we now breathe and move freely—and know not (in surveying your present state) for which to pity you most, the empty name of liberty, which you endeavour to content yourselves with, in a country that is not yours; or the delusion which makes you hope for ampler privileges in that country hereafter. Tell us, which is the white man, who, with a prudent regard to his own character, can associate with one of you on terms of equality? Ask us, which is the white man who would decline such association with one of our number whose intellectual and moral qualities are not an objection? To both these questions we unhesitatingly make the same answer—There is no such white man.

We solicit none of you to emigrate to this country; for we know not who among you prefers rational independence, and the honest respect of his fellow men, to that mental sloth and careless poverty, which you already

possess, and your children will inherit after you in America. But if your views and aspirations rise a degree higher—if your minds are not as servile as your present condition—we can decide the question at once; and with confidence say, that you will bless the day, and your children after you, when you determined to become citizens of Liberia.

But we do not hold this language on the blessing of liberty, for the purpose of consoling ourselves for the sacrifice of health, or the suffering of want, in consequence of our removal to Africa. We enjoy health, after a few month's residence in the country, as uniformly, and in as perfect a degree, as we possessed that blessing in our native country. And a distressing scarcity of provisions, or any of the comforts of life, has for the last two years been entirely unknown, even to the poorest persons in this community. On these points there are, and have been, much misconception, and some malicious misrepresentations in the United States.

We have nearly all suffered from sickness, and of the earliest emigrants a large proportion fell in the arduous attempt to lay the foundation of the colony. But are they the only persons whose lives have been lost in the cause of human liberty, or sacrificed to the welfare of their fellow men? Several out of every ship's company have with in the last four years been carried off by sickness, caused by the change of climate. And death occasionally takes a victim from our number, without any regard at all to the time of his residence in this country. But we never hoped, by leaving America, to escape the common lot of mortals—the necessity of death, to which the just appointment of Heaven consigns us. But we do expect to live as long, and pass this life with as little sickness, as yourselves.

The true character of the African climate is not well understood in other countries. Its inhabitants are as robust, as healthy, as long lived, to say the least, as those of any other country. Nothing like an epidemic has ever appeared in this colony; nor can we learn from the natives, that the calamity of a sweeping sickness ever yet visited this part of the continent. But

the change from a temperate to a tropical climate is a great one—too great not to affect the health more or less—and in the cases of old people and very young children, it often causes death. In the early years of the colony, want of good houses, the great fatigues and dangers of the settlers, their irregular mode of living, and the hardships and discouragements they met with, greatly helped the other causes of sickness, which prevailed to an alarming extent, and was attended with great mortality. But we look back to those times as to a season of trial long past, and nearly forgotten. Our houses and circumstances are now comfortable—and, for the last two or three years, not one person in forty from the middle and southern states, has died from the change of climate. The disastrous fate of the company of settlers who came out from Boston, in the brig Vine eighteen months ago, is an exception to the common lot of emigrants; and the causes of it ought to be explained. Those people left a cold region in the coldest part of winter, and arrived here in the hottest season of our year. Many of them were too old to have survived long in any country. They most imprudently neglected the prescriptions of our very successful physician, the Rev. Lot Carey, who has great experience and great skill in the fevers of the country—and depended on medicines brought with them, which could not fail to prove injurious. And in consequence of all those unfortunate circumstances, their sufferings were severe, and many died. But we are not apprehensive that a similar calamity will befall any future emigrants, except under similar disadvantages.

People now arriving have comfortable houses to receive them; will enjoy the regular attendance of a physician in the slight sickness that may await them; will be surrounded and attended by healthy and happy people, who have borne the effects of the climate, who will encourage and fortify them against that despondency, which alone has carried off several in the first years of the colony.

But you may say, that even health and freedom, as good as they are, are still dearly paid for, when they cost you the common comforts of life, and

expose your wives and children to famine and all the evils of want and poverty. We do not dispute the soundness of this conclusion neither—but we utterly deny that it has any application to the people of Liberia.

Away with all the false notions that are circulating about the barrenness of this country—they are the observations of such ignorant or designing men as would injure both it and you. A more fertile soil, and a more productive country, so far as it is cultivated, there is not, we believe, on the face of the earth. Its hills and its plains are covered with a verdure which never fades; the productions of nature keep on in their growth through all the seasons of the year. Even the natives of the country, almost without farming tools, without skill, and with very little labour, make more grain and vegetables than they can consume, and often more than they can sell.

Cattle, swine, fowls, ducks, goats, and sheep, thrive without feeding, and require no other care than to keep them from straying. Cotton, coffee, indigo, and the sugar cane, are all the spontaneous growth of our forests; and may be cultivated at pleasure, to any extent, by such as are disposed. The same may be said of rice, Indian corn, Guinea corn, millet, and too many species of fruits and vegetables to be enumerated. Add to all this, we have no dreary winter here, for one half of the year to consume the productions of the other half. Nature is constantly renewing herself—and constantly pouring her treasures, all the year round, into the laps of the industrious. We could say on this subject more, but we are afraid of exciting too highly the hopes of the imprudent. Such persons, we think, will do well to keep their rented cellars, and earn their twenty-five cents a day, at the wheelbarrow, in the commercial towns of America; and stay where they are. It is only the industrious and virtuous that we can point to independence, and plenty, and happiness, in this country. Such people are nearly sure to attain, in a very few years, to a style of comfortable living, which they may in vain hope for in the United States. And, however short we come of this character ourselves, it is only a due acknow-

ledgment of the bounty of Divine Providence to say, that we generally enjoy the good things of this life to our entire satisfaction.

Our trade and commerce is chiefly confined to the coast, to the interior parts of the continent, and to foreign vessels. It is already valuable, and fast increasing. It is carried on in the productions of the country, consisting of rice, palm oil, ivory, tortoise shell, dye woods, gold, hides, wax, and a small amount of coffee; and it brings us, in return, the products and manufactures of the four quarters of the world. Sceldom, indeed, is our harbour clear of European and American shipping; and the bustle and thronging of our streets, show something, already, of the activity of the smaller seaports of the United States.

Mechanics of nearly every trade are carrying on their various occupations—their wages are high, and a large number would be sure of constant and profitable employment.

Not a child, or youth in the colony but is provided with an appropriate school. We have a numerous public library, and a court house, meeting houses, school houses, and fortifications, sufficient or nearly so for the colony in its present state.

Our houses are constructed of the same materials, and finished in the same style as in the towns of America. We have abundance of good building stone, shells for lime, and clay of an excellent quality for bricks. Timber is plentiful of various kinds, and fit for all the different purposes of building and fencing.

Truly we have a goodly heritage; and if there is any thing lacking in the character or condition of the people of this colony, it never can be charged to the account of the country; it must be the fruit of our own mismanagement, or slothfulness, or vices. But from these evils we confide in Him, to whom we are indebted for all our blessings, to preserve us. It is the topic of our weekly and daily thanksgiving to Almighty God, both in public and in private, and he knows with what sincerity,—that we were ever conducted by his providence to this shore. Such great favours in so short a time, and mixed with so few trials, are to be

ascribed to nothing but his special blessing. This we acknowledge. We only want the gratitude which such signal favours call for. Nor are we willing to close this paper without adding a heartfelt testimonial of the deep obligations we owe to our American patrons—and best earthly benefactors; whose wisdom pointed us to this home of our nation; and whose active and persevering benevolence enabled us to reach it. Judge, then, of the feelings with which we hear the motives and the doings of the Colonization Society traduced—and that, too, by men too ignorant to know what that Society has accomplished; too weak to look through its plans and intentions; or too dishonest to acknowledge either. But, without pretending to any prophetic sagacity, we can certainly predict to that Society, the ultimate triumph of their hopes and labours; and disappointment and defeat to all who oppose them. Men may theorize, and speculate about their plans in America, but there can be no speculation here. The cheerful abodes of civilization and happiness which are scattered over this verdant mountain—the flourishing settlements which are spreading around it—the sound of Christian instruction, and scenes of Christian worship, which are heard and seen in this land of brooding pagan darkness—a thousand contented freemen united in founding a new Christian empire, happy themselves, and the instrument of happiness to others: every object, every individual, is an argument, is demonstration, of the wisdom and the goodness of the plan of colonization.

Where is the argument that shall refute facts like these?—And where is the man hardy enough to deny them?

#### REPORT OF COMMITTEE OF GEORGIA LEGISLATURE.

A committee of the legislature of Georgia have produced a report which manifests a degree of sensibility on the subject of slavery, to be accounted for only by admitting that they feel themselves but ill at ease in their possession of this species of property. If either

the justice or the policy of slave-holding was as clear as they would seem to intimate, it is difficult to conceive why they should start and storm at every measure, however innocent, that points toward the eventual extinction of slavery. The following extract may be taken as a specimen:

“That the people of the south, at the time of the adoption of the constitution, considered not only the retention, but the increase of the slave population, to be all-important to the welfare and interests of their states, is manifest from a reservation in that instrument itself, which, it cannot be doubted, was inserted on their express requisition. By the 1st clause of the 9th section of the 1st article, it is provided, ‘that the migration or importation of such persons as any of the states shall think proper to admit, shall not be prohibited by the congress prior to the year 1808.’ Who were the persons here meant?—Africans. And for what purpose were they to be imported, and into what states?—*They were to be imported to be held in slavery in the southern states. Who then were the parties interested in making such reservation?—The people of the south, and they alone.* What was the motive of those people in insisting upon the reservation of the right to make such importation for twenty years?—*Unquestionably to increase that species of population. Why increase it?—Because they believed it to be essential to the improvement, welfare, and prosperity of their section of the country: and upon the numbers of which, by another provision of the constitution, the weight of the southern states in the general council in part depended.*

“If such were the motive, (and what other could there have been for the insertion of that reservation?) can it be believed, that those very people meant, by another clause, to give to congress the power to appropriate money out of the common fund to which they were so largely to contribute, for the purpose of again removing that very population, the right to increase which was so carefully reserved; that they insisted upon retaining the right to import Afri-



cans, merely again and in part at their own expense, to re-export them to the shore from whence they had been brought?—yet such would be the effect of the constructive power contended for. Your committee now ask, if it can be believed for a moment, that it was the intention of the convention under those general words of the eighth section of the first article, to give to congress a power to appropriate the common fund to the removal of the slave population of the country?"

"Your committee have done with the argument—it has been presented with the sole view of satisfying the people of Georgia, that their representatives here assembled, in entering a protest against the exercise of such power, are justified in such proceedings by the constitution itself, and not with any hope or expectation of changing the settled purpose of those who, from selfishness or fanaticism, are urging congress to the exercise of this power, or who, from morbid sensibility, or ignorance of circumstances, or indifference to the effect upon us, or our coloured population, are using every means in their power to render that people discontented with their present situation, far preferable, as your committee believe, in point of ease and comfort, and nearly as independent, as that of the white labourers of the northern or eastern states, or of any nation in Europe.

"Your committee cannot avoid reproaching the cold-blooded selfishness or unthinking zeal which actuates many of our fellow citizens in other states, to an interference with our local concerns and domestic relations, totally unwarranted either by humanity or constitutional right—such interference is becoming every day more determined and more alarming; it commenced with a few unthinking zealots, who formed themselves into abolition societies, was seized upon by more cunning and designing men for political purposes; and is now supported by more than one of the states, as is evident from the amendments of the constitution, proposed by the legislative bodies, and so frequently, and, indeed, insultingly presented for our approbation. The result of such interference,

if persevered in, is awful and inevitable. The people of Georgia know, and strongly feel, the advantages of the federal union—as members of that union, they were proud of its greatness—as children born under that union, they love it with filial affection—as part of that union, they will ever defend it from foes internal; but they cannot, and will not, even for the preservation of that union, permit their rights to be assailed—they will not permit their property to be rendered worthless—they will not permit their wives and their children to be driven as wanderers into strange lands—they will not permit their country to be made waste and desolate 'by those who come among us under the cloak of a time-serving and hypocritical benevolence.' But how is this increasing evil to be met and remedied? Nothing can be hoped from remonstrance—the judicial tribunals of the union cannot reach it—our own legislature can by no enactment prevent it—How then is this evil to be remedied? *Only by a firm and determined union of the people and the states of the south, declaring, through their legislative bodies, in a voice which must be heard, that they are ready and willing to make any sacrifice, rather than submit longer to such ruinous interference; and warning their enemies that they are unwittingly preparing a mine, which, once exploded, will lay our much beloved country in one common ruin.* Your committee hope that such a calamity is yet far distant, and that there is still remaining in the congress of the union, sufficient discretion, intelligence, and patriotism, to avert it altogether; with that hope, they deem it unnecessary now to do more than to recommend the adoption of the following resolution:—

Resolved, by the senate and house of representatives of the state of Georgia, in general assembly met, That the congress of the United States have no constitutional power to appropriate moneys to aid the American Colonization Society, or for objects to effect which that society was established: and this legislature, representing the feelings and will of the people, and the sovereignty of the state of Georgia, denying the right, solemnly protests

against the exercise, or any attempt to exercise, such unconstitutional power by the congress of the United States."

It is rather singular, that in the overflows of their zeal for the maintenance of their own liberty and rights, the committee should voluntarily assume for their own state so large a share of the scandal of legalizing for twenty years, a traffic which has been so generally reprobated by the civilized world. From the statement given by these legislators, we should suppose the people of Georgia more deeply involved in the guilt of the slave trade, than they really were. If they insisted, in 1787, upon the privilege of adding to their slave-population by importations from Africa, during twenty years, they must soon have discovered the injustice or impolicy of the traffic, or why did they so speedily prohibit such importations themselves? If they believed, in 1787, that the increase of African slaves was essential to the improvement, welfare, and prosperity of their section of country, they must have been convinced in 1798 that further importations would be inimical to their prosperity; and if in 1828 the general government should deem it expedient to promote the emigration to their native country of a few free people of colour, or of such slaves as their owners may choose to emancipate for the purpose, where is the evil or injustice of the measure? When the delegates from Georgia agreed indirectly to authorize congress to prohibit the importation of African slaves after the beginning of 1808, they seem to have tacitly admitted that the time might come when the increase of this species of population, beyond what could be supplied from internal sources, would be no longer essential to the

Vol. I.—48

prosperity of the south. That the prospect of re-transporting any of them, either at private or public expense, was entertained by the delegates, is not probable, for we find the constitution as silent with respect to the *prohibition* as to the *grant* of the disputed authority. When the convention agreed unanimously to the constitution, it is not to be supposed that they *intended* it should ever be changed; yet they were not so ignorant as to suppose that time and experience might not possibly suggest some improvements in that stupendous production itself. They must also have been aware, that changes in the constitution ought not to be inconsiderately made. They therefore prescribed the mode by which amendments, when deemed expedient, might be effected. Whether congress should or should not, after the year 1808, prohibit the slave trade, or whether that body should, either before or after that period, make appropriations for the exportation or melioration of our coloured population, was evidently submitted to their discretion, unshackled by constitutional restriction.

From the language of the Georgia committee, we might suppose they had discovered a plot among the abolitionists to excite rebellion among the slaves, and to drive the white population into the wilderness. In one paragraph we are told of the comfort and ease enjoyed by the slaves, and in the next, all the machinery of massacre and desolation is arranged before us, as the consequence of any attempt to improve that enviable lot. With all the happiness which our brethren of the south are accustomed to attribute to their servile dependents, we are unable to suggest any measure for the removal of any even of the

acknowledged evils of slavery, without awakening the echo of ruin, rebellion, and massacre, dissolution of the Union, and all the horrors of intestine commotion. If such is the critical situation of the south with probably less than two millions of slaves, what will be our condition when the numbers are quadrupled, as they probably will be by the next jubilee? If we must leave to our successors the burden and curse of slavery, our duty indispensably requires that we should, if practicable, leave them in possession of an efficient remedy. If we obstinately continue to nurse the serpent in our bosom, we have none to blame but ourselves, if it should eventually sting us to the heart. It is with nations as with individuals, those diseases are most dangerous which are attended with insensibility and aversion to the means of cure.

#### A LION HUNT IN SOUTHERN AFRICA.

In April, 1822, I was residing on my farm, at Baveau's river, in the neighbourhood of which numerous herds of large game, and consequently beasts of prey, are abundant. One night, a lion, who had previously purloined a few sheep out of the kraal, came down, and killed my riding horse, about a hundred yards from the door of my cabin. Knowing that the lion, when he does not carry off his prey, usually conceals himself in the vicinity, and is, moreover, very apt to be dangerous, by prowling about the place, in search of more game, I resolved to have him destroyed or dislodged without delay. I therefore sent a messenger round the location, to invite all who were willing to assist in the foray, to repair to the place of rendezvous as speedily as possible. In an hour, almost every man of the party appeared, ready mounted and armed. We were also reinforced by about a dozen of the Hottentots, who resided at that time on our territory as tenants or herdsmen, an active and enterprising, though rather an un-

steady race of men. Our friends, the *Sarka* boers, many of whom are excellent lion hunters, were all too distant to assist us. We were, therefore, on account of our own inexperience, obliged to make our Hottentots the leaders of the chase.

The first point was to track the lion to his covert. This was effected by a few of the Hottentots on foot; commencing from the spot where the horse was killed, they followed the spear through the gravel and brushwood with astonishing ease and dexterity, where an inexperienced eye could discern neither footprint, nor mark of any kind, until, at length, we fairly tracked him into a large straggling thicket of brushwood and evergreens, about a mile distant.

The next object was to drive him out of this retreat, in order to attack him in a close phalanx, and with more safety and effect. The approved method is, to torment him with dogs till he abandons his covert, and stands at bay in the open plain. The whole band of hunters then march forward together, and fire one by one. If he does not speedily fall, but grows angry and turns upon his enemies, they must then stand close in a circle, and turn their horses rear outward; some holding them fast by the bridles, while the others kneel to take a steady aim at the lion as he approaches, sometimes up to the very horses' heels, crouching every now and then, as if to measure the distance and the strength of his enemies. This is the moment to shoot him fairly in the forehead, or some other mortal part. If they continue to wound him ineffectually, till he waxes furious and desperate; or if the horses, startled by his terrific roar, grow frantic with terror, and burst loose, the business becomes rather serious, and may end in mischief: especially if all the party are not men of courage, coolness, and experience. The frontier boers are, however, generally such excellent marksmen, and withal so cool and deliberate, that they seldom fail to shoot him dead as soon as they get within a fair distance.

In the present instance we did not manage matters quite so scientifically. The Hottentots after recounting to us all these, and other sage laws of lion

hunting, were themselves the first to depart from them. Finding that with the few indifferent hounds we had made little impression on the enemy, they divided themselves into two or three parties, and rode round the jungle, firing into the spot where the dogs were barking round him, but without effect. At length, after some hours spent in thus beating about the bush, the Scottish blood of some of my countrymen began to get impatient, and three of them announced their determination to march in and beard the lion in his den, provided three of the Hottentots, who were superior marksmen, would support them, and follow up their fire, should the enemy venture to give battle. Accordingly, in they went, in spite of the warnings of some more prudent men, to within fifteen or twenty paces of the spot where the animal lay concealed. He was couched among the roots of a large evergreen bush, with a small open space on one side of it; and they fancied, as they approached, that they saw him distinctly lying, glaring at them from under the foliage. Charging the Hottentots to stand firm, and level fair should they miss, the Scottish champions let fly together, and struck, not the lion, as it afterwards proved, but a great block of red stone, beyond which he was actually lying. Whether any of the shot grazed him is uncertain, but, with no other warning than a furious growl, forth he bolted from the bush. The rascally Hottentots, in place of now pouring in their volley upon him, instantly turned, and fled helter-skelter, leaving him to do his pleasure upon the defenceless Scots, who, with empty guns, were tumbling over each other in their hurry to escape the clutch of the furious savage. In a twinkling he was upon them, and with one stroke of his paw, dashed the nearest to the ground. The scene was terrific! There stood the lion, with his foot upon the prostrate foe, looking round in conscious power and pride upon the bands of his assailants, with a port the most noble and imposing that can be conceived. It was the most magnificent I ever witnessed. The danger, however, of our friends, rendered it at the moment too terrible to enjoy either the grand or the ludicrous part of the pic-

ture. We expected every instant to see one or more of them torn in pieces, nor, though the rest of the party were standing within fifty paces, with their guns cocked and levelled, durst we fire for their assistance. One was lying under the lion's feet, and the others scrambling towards us, in such a way as to intercept our aim upon him. All this passed much more rapidly than I have related it. But, luckily, the lion, after steadily surveying us for a few seconds, seemed willing to be quits on fair terms; and with a fortunate forbearance, for which he met but an ungrateful recompense, turned calmly away, and driving the snarling dogs, like rats, from among his heels, bounded over the adjoining thicket, like a cat over a footstool, clearing brakes and bushes twelve or fifteen feet high, as readily as if they had been tufts of grass, and abandoning the jungle retreated towards the mountains.

After ascertaining the state of our rescued comrade, who, fortunately, had sustained no other injury than a slight scratch on the back, and a severe bruise on the ribs, from the force with which the animal had dashed him to the ground, we renewed the chase, with Hottentots and hounds in full cry. In a short time we again came up with the enemy, and found him standing at bay, by the side of a mountain stream. The dogs were barking round, but afraid to approach him, for he was now beginning to growl fiercely, and to brandish his tail in a manner that showed he was meditating mischief. The Hottentots, by taking a circuit between him and the mountain, crossed the stream, and took a position on the top of a precipice, overlooking the spot where he stood. Another party of us, occupied a position on the other side of the glen; and thus placing the poor fellow between two fires, which confused his attention, and prevented his retreat, we kept battling away at him, without truce or mercy, till he fell, unable again to grapple with us, covered with wounds and glory.

He proved to be a full grown lion, of the yellow variety, about five or six years of age. He measured nearly twelve feet from the nose to the tip of the tail. His fore leg, just at the knee, was so thick, that I could not clasp it

with the old atmosphere, condenses, and precipitates in a torrent of rain, the invisible vapour held by the heat of the latter in solution.

The condensation of the general mass of the atmosphere caused by the combination of the refrigerant stratum of air, by increasing suddenly its weight, produces in it a strong current in the direction where the least resistance is opposed to the new force. The quarter in which the atmospheric pressure meets the least resistance is always that of the ocean. Consequently, on every part of the coast, the uniform course of tornadoes is off shore, and at right angles with the line of its general tendency. Waiving that scientific precision with which a philosopher might choose to express himself on a subject of this nature, I think the tornadoes of the coast may be as intelligibly as familiarly explained, thus:

The air, from the great power of the sun in this climate, becomes perfectly replenished with vapours exhaled from the neighbouring ocean: and from the long undisturbed state of the atmosphere, as respects its temperature, becomes very highly charged with the electric fluid in a state of inactivity, and consequently invisible. Now, thunder and lightning are nothing else than the electric fluid in action; and condensed vapour is the identical material of clouds and rain. An infusion of cold air, therefore, into the great body of the atmosphere by condensing the vapour, in an instant fills it with immense masses of clouds. These clouds by farther condensation, proving too heavy for the air to uphold, descend in torrents of rain. The same cold infusion, likewise, by giving an immediate activity to the electric fluid, causes the thunder and lightning which these storms so terribly exhibit. But another effect follows, from the same cause. Wind is generated, if I may so express myself, in vast quantities, on the spot; and as fast as it makes, struggles powerfully for a vent, which it instantly finds towards the west, where the great body of the atmospheric air is always lighter than in any other quarter. And all these circumstances put together, will be seen to make out a complete tornado, just

as the phenomenon is often witnessed here every spring and autumn.

These tempests have been too often, and I may add, too elaborately described to leave much to be said of their general appearance. Scarcely fewer than fifty must have fallen under my observation both at sea and on shore, along a line of more than 1200 miles of this coast;—but I have never witnessed, even in the most violent, those formidable features which too commonly embellish the descriptions of transient voyagers.

They appear to exert the greatest power, and have a longer continuance in proportion to their distance from the line. In a single instance only during the last three years, have any of the numerous vessels frequenting this coast, sustained from them, injuries which might not, without exciting the least remark, have befallen them even in any part of the inland navigation of America. And in this case the misfortune was attributable to the imprudence of suffering a number of vessels to be land-locked in the port of St. Louis, where the accident occurred, without sufficient ground tackle.

It is a precaution highly necessary, and usually observed by vessels navigating the coast, in the tempestuous seasons, to hoist all their light spars, and unbend the light and even stay sails, and otherwise relieve the masts of every dispensable weight and incumbrance.

Vessels at anchor, on the well known indications of these gusts, either weigh and stand off the coast under a single steering sail, which they strike the moment the wind becomes violent; or let go an additional anchor ahead, with a view to ride it out. But if from the hardness of the bottom, or the unusual force of the storm, the vessel should be driven astern, the cables are instantly to be slipped, and the vessel put before the wind. A tornado that should convey a vessel thus scudding before it, two leagues from her anchors without spending itself, would, in this part of the coast, be considered either unusually violent, or of very unusual duration: notwithstanding the motion of the vessel concurring with the direction of the storm must hold it subject to its ac-

tion twice the time necessary for it to blow over a vessel at anchor. Twenty minutes may be accounted the maximum of the time during which the gusts attending these tempests generally continue in any violence. But they are commonly the forerunner of rains, which follow very copiously for several hours.

The intenseness of the lightning, and rapid succession of its flashes, have in more than one instance, in the last three years, surpassed any exhibition of the kind often witnessed in the temperate latitudes.

In the autumn of 1822 occurred a tornado, about twelve o'clock at night, which was followed by a succession of thunder showers, until daylight. The track of the electrical clouds was directly over the settlement, and at a very little distance above it. Between each of the blinding flashes, and the report which followed, no interval of time could be measured. The horrors of the night were steadily illuminated by a pale vengeful glare, of which it is beyond the power of language to convey any just impression; and the reverberations of three, and even more successive peals of thunder, could sometimes be distinguished at the same instant. Still, that Providence, which has since so signally watched over the welfare of

our little community, protected every individual, both in person and property, from its ravages.

It may be added, in conclusion, that the well known laws which govern the explosions of the electric fluid combined with a thunder-cloud, give them often a different direction in tropical and in the higher latitudes. In the former, the earth and incumbent atmosphere, over which the cloud passes, are found to be charged with a homogeneous modification of the fluid—and consequently limit its action to the different masses and divisions of the cloud itself. But in the latter, the surface of the earth is oftener found negatively electrified in relation to the cloud above it, and the reverse; when the explosions taking place from the one to the other, threaten every projecting object in their range with destruction.

This simple provision of the Creator, by which the tropical portion of the globe is so effectually protected from the natural effects of its own lightning, cannot fail to excite in a reflecting mind, not stupified with sensuality or hardened by pride—in one, especially, which has experimentally attested its sufficiency, the most moving sentiments of admiration and gratitude.

J. A.

September, 1822.

## INDEX TO VOLUME FIRST.

A	
Acquittal, posthumous	140
Address, Dr. Jones', remarks on	274
— to 278	
— to first slave ship	238
Africa, Geographical Sketches of	17
— to 21, 74 to 76	
— Discoveries in	281
— Progress of discoveries in	300
— to 307, 368 to 371	
— Mode of procuring slaves in	140
— Remarks on native races in	267
— to 269	
— Slavery in	34 to 37
African magnanimity	32
— chief	96
— Free Schools in U. S.	121
— to 124	
— Institution, 21st report of	185
— to 192	
Antelope, or Gen. Ramirez	344 to 348

Arguing in a circle	192
Arkansas, expected admission of	287

## B

Barclay, David, Memoir of	158
— Review of	210 to 218, 240
— to 248, 339 to 344	

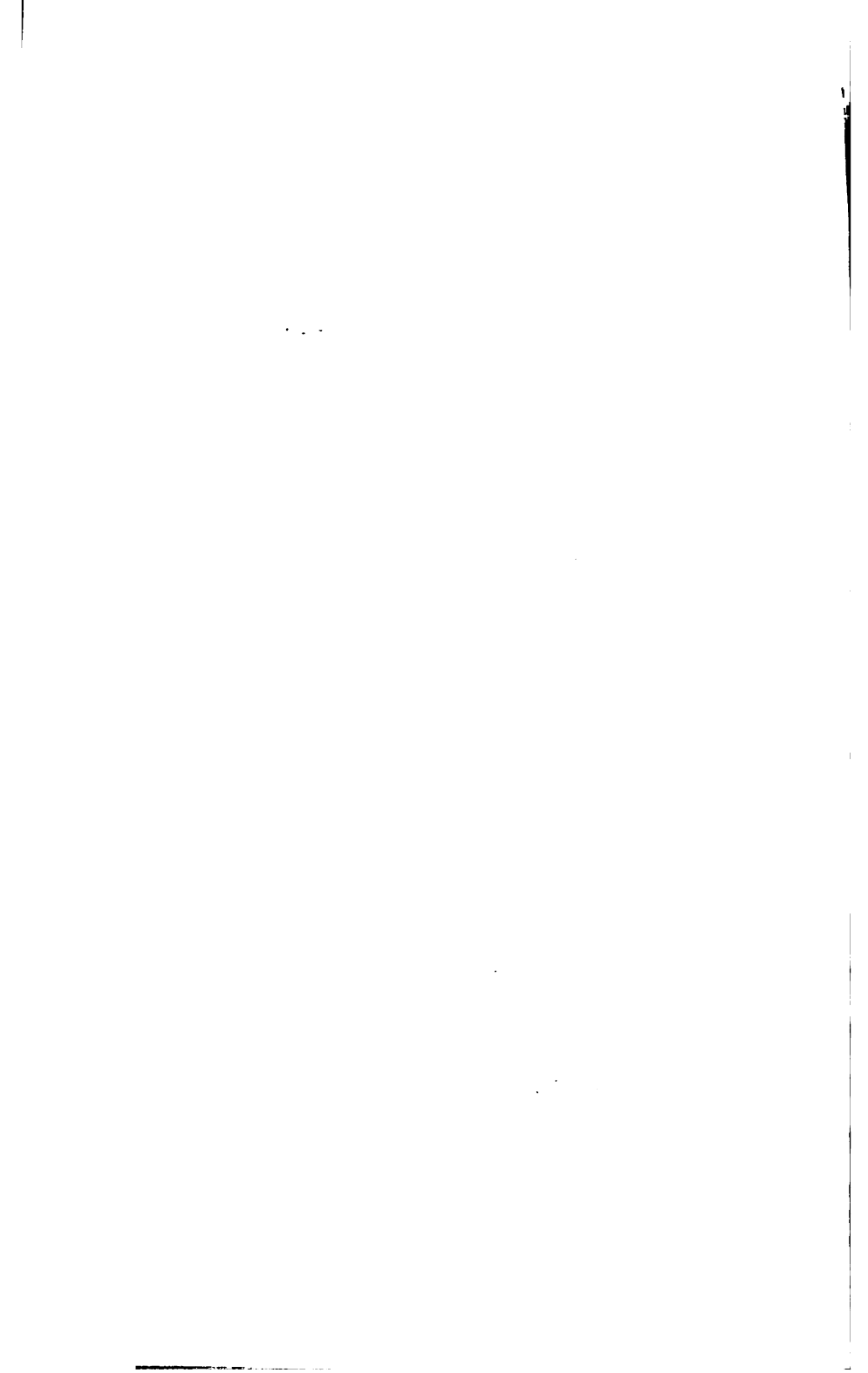
## C

Causes why slave labour is dearer than free	111 to 113
Celebration of Independence	124
Circumstance at Kouka in Bornou	80
Code Noir of Virginia	357
Coloured Orphans, shelter for	336
— to 339	
Comparative cost of free and slave labour	108 to 111, 141
— to 145, 168 to 172	
Consistency	160
Cuba, slavery in	298

<b>D</b>		
Decision, important, in Illinois	204	
— respecting coloured servants in Pennsylvania	355	
<b>E</b>		
Equality of representation	221	
Error corrected	218	
Evidence of	161	58
Exit, affecting	63	
<b>F</b>		
Florida, notice of	221	
<b>G</b>		
Gariop, Falls of	319	to 320
Guatemala, proceedings relative to the Slave Trade	30	
Gratitude, national	28	
<b>H</b>		
Horrid occurrence	158	
Hottentot, industrious	288	
<b>K</b>		
Kidnapping	37	to 48, and 130
— trial for	287	
<b>L</b>		
Legislation of S. Carolina	315	
Laing Major	222	
Liberia, latest from	282	
Lion Hunt in Southern Africa	378	
Lion, notices of African	318	
Lion and Cameleopard	360	
Lord Stowell's (Sir W. Scott,) judgment	330	to 333
Love of country exemplified	55	
<b>M</b>		
Madison, Reuben	222	to 224
Manufactures in Virginia	314	
<b>N</b>		
Negro Slavery	5	to 9, 65 to 74, 97 to 108, 161 to 168, 193 to 202, 289 to 296, 321 to 336, 361 to 368
Negro boy's tale	126	
Negroes punished for acts which are not criminal	196	to 197
— punished for crimes with peculiar severity	200	to 202
<b>O</b>		
Observations on causes of diversities in the human species	50	to 54, 90 to 95
<b>P</b>		
Parody, Dr. Franklin's, on Jackson's speech on the slave trade	237	
Periodical winds and rains in the torrid zone	21	to 25, 48 to 50
Population, coloured	158	
<b>Poetry</b>		32, 96, 126, 192, 224, 256, 288, 360
Property in slaves, rights of	269	
— to 296, 321 to 330		
Punishment of negroes for giving false testimony	163	
Presidents, northern	354	
<b>R</b>		
Reciprocity, just	219	to 221
Remark, important of W. Pitt	248	
Report of Georgia legislature	375	
Researches, scriptural, on slavery	204	to 218, 282 to 235, 264 to 267, 296 to 298
— summary of, on the physical nature of man	358	
— to 360		
Review, Sismondi's, of J. Compté	225	to 232, 257 to 264
— Stroud's slave laws	249	to 256
Revolutionary anecdote	317	
<b>S</b>		
Shooting expedition	25	
Slavery, abolition of, in Middle states	172	to 180
— Abolition of, in N. York	286	
— in Africa	34	to 37
— in G. Britain, (judgment of Sir W. Scott)	309	to 314
— history of	80	to 90
— remarks on (by a Kentuckian)	56	to 60, 76 to 80, 117 to 121, 145 to 150
— in Virginia	333	to 336
Slave trade, declaration of Allies respecting, at Vienna	316	
— debates on	235	to 238
— Brazilian	95	
— domestic	27	
— internal	102, 307	
— modern	202	
— western interterritorial	54	
— in Eastern Africa	180	to 185
— suppression of	9	to 17
Statistics of slavery	60	to 63, 113 to 117, 151 to 158
— West Indian	278	
<b>T</b>		
Thebes, visit to cemetery of	209	
Tornado season at Cape Mesurado	380	
Trial by jury	269	to 274
<b>W</b>		
Walker Henry, obituary notice of	256	
Weems's Defence of Slavery, remarks on	348	to 354
Wheatly, Phillis, account of	29	
<b>Y</b>		
Yeoman, legal meaning of the term	356	









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